

A

Docket No.  
LEE-109

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Total Pages in this Submission  
101

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**

**Box Patent Application**  
**Washington, D.C. 20231**

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**DNA Polymerase Having Ability to Reduce Innate Selective Discrimination Against Fluorescent Dye-Labeled Dideoxynucleotides**

and invented by:

**Hong, Guo Fan**  
**Huang, Wei-hua**

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/157,397

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 08/544,643

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 08/642,684

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 70 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

**UTILITY PATENT APPLICATION TRANSMITTAL  
(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
**LEE-109**

Total Pages in this Submission  
**101**

**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*  
a. ☒ Formal      b. ☐ Informal      Number of Sheets 8
4. ☒ Oath or Declaration  
a. ☐ Newly executed *(original or copy)*      ☐ Unexecuted  
b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*  
c. ☐ With Power of Attorney      ☐ Without Power of Attorney  
d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission *(if applicable, all must be included)*  
a. ☐ Paper Copy  
b. ☐ Computer Readable Copy  
c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8. ☒ Assignment Papers *(cover sheet & documents)*
9. ☐ 37 CFR 3.73(b) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☒ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment      ( ENTER BEFORE FEE CALCULATION )
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing  
☒ First Class      ☐ Express Mail *(Specify Label No.):* \_\_\_\_\_

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
LEE-109

Total Pages in this Submission  
101

## Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: 1 (copy from parent app.)
17. ☒ Additional Enclosures (please identify below):

Power of Attorney (copy from parent application); Letter per 37 CFR 1.821(e)


## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	19	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	5	- 3 =	2	x \$39.00	\$78.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$345.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$423.00

- ☒ A check in the amount of **\$423.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **500867** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: February 23, 2000



Signature

Marlana K. Titus, Reg. No. 35,843  
Nash & Titus, LLC  
3415 Brookeville Road  
Suite 1000  
Brookeville, MD 20833  
(301) 924-9600

CC:

SMALL ENTITY STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27 (b)) - **NONPROFIT ORGANIZATION**

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below.

NAME OF ORGANIZATION Shanghai Institute of Biochemistry, Chinese Academy of Sciences

ADDRESS OF ORGANIZATION Shanghai, China

TYPE OF ORGANIZATION

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3))  
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)  
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3)) IF  
LOCATED IN THE UNITED STATES OF AMERICA  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED  
STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

**I hereby state** that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, with regard to the invention **entitled DNA POLYMERASE HAVING ABILITY TO REDUCE INNATE SELECTIVE DISCRIMINATION AGAINST FLUORESCENT DYE-LABELED DIDEOXYNUCLEOTIDES** by the inventor(s) in Guo Fan HONG and Wei-hua HUANG

x → ☐ the specification filed herewith  
one → ☒ Application No.    /   , filed September 21, 1998  
box → ☐ Patent No.   , issued

**I hereby state** that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each small entity individual, concern or organization having rights to the invention is listed below in (A) and (B) and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

(A) FULL NAME of assignee/licensee/grantee/conveyee\*

ADDRESS

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

(B) FULL NAME of assignee/licensee/grantee/conveyee\*

ADDRESS

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

\*NOTE: Separate statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING

TITLE IN ORGANIZATION

ADDRESS OF PERSON SIGNING

SIGNATURE

Gao Xiang

Gao Xiang

Director of Research & Development Department in Shanghai Institute of Biochemistry, Chinese Academy of Sciences  
320 Yue Yang Road, Shanghai, 200031

DATE

98.10.12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of HONG et al.

Application No. Not known  
Divisional app. of 09/157,397

Group Art Unit: Unknown

Filed: February 23, 2000

Examiner: Unknown

For: DNA Polymerase Having Ability to Reduce Innate Selective Discrimination Against  
Fluorescent Dye-Labeled Dideoxynucleotides

\* \* \* \* \*

February 23, 2000

**PRELIMINARY AMENDMENT**

Hon. Commissioner of Patents  
And Trademarks  
Washington, D.C. 20231

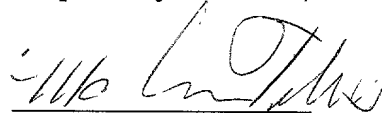
Sir:

In connection with the above-identified application, please enter the following  
amendments in the claims.

**IN THE CLAIMS:**

**Cancel claims 1-8, 14-23, 31-38 and 41-56, without prejudice or disclaimer of  
applicants' rights to pursue that subject matter in other applications.**

Respectfully submitted,



Marlana K. Titus  
Reg: 35,843  
(301) 924-9600

Nash & Titus, LLC  
3415 Brookeville Road  
Suite 1000  
Brookeville, Maryland 20833  
(301) 924-9600

DNA POLYMERASE HAVING ABILITY TO REDUCE INNATE  
SELECTIVE DISCRIMINATION AGAINST  
FLUORESCENT DYE-LABELED DIDEOXYNUCLEOTIDES

BACKGROUND OF THE INVENTION

This application is a continuation-in-part application of Serial No. 08/544,643 (now U.S. Patent 5,747,298), filed October 18, 1995, and 08/642,684, filed May 3, 1996, and the entire contents of both applications are incorporated herein by reference.

The genetic material of all known living organisms is deoxyribonucleic acid (DNA), except in certain viruses whose genetic material may be ribonucleic acid (RNA). DNA consists of a chain of individual deoxynucleotides chemically linked in specific sequences. Each deoxynucleotide contains one of the four nitrogenous bases which may be adenine (A), cytosine (C), guanine (G) or thymine (T), and a deoxyribose, which is a pentose, with a hydroxyl group attached to its 3' position and a phosphate group attached to its 5' position. The contiguous deoxynucleotides that form the DNA chain are connected to each other by a phosphodiester bond linking the 5' position of one pentose ring to the 3' position of the next pentose ring in such a manner that the beginning of the DNA molecule always has a phosphate group attached to the 5' carbon of a deoxyribose. The end of the DNA molecule always has an OH (hydroxyl) group on the 3' carbon of a deoxyribose.

DNA usually exists as a double-stranded molecule in which two antiparallel DNA strands are held together by hydrogen bonds between the bases of the individual nucleotides of the two DNA

strands in a strictly matched "A-T " and "C-G" pairing manner. It is the order or sequence of the bases in a strand of DNA that determines a gene which in turn determines the type of protein to be synthesized. Therefore, the accurate determination of the sequence of the bases in a DNA strand which also constitutes the genetic code for a protein is of fundamental importance in understanding the characteristics of the protein concerned.

The process used to determine the sequence of the bases in a DNA molecule is referred to as DNA sequencing. Among the techniques of DNA sequencing, the enzymatic method developed by Sanger et al. (1) is most popular. It is based on the ability of a DNA polymerase to extend a primer annealed to the DNA template to be sequenced in the presence of four normal deoxynucleotide triphosphates (dNTPs), namely, dATP, dCTP, dGTP and dTTP, and on the ability of the nucleotide analogs, the dideoxynucleotide triphosphates (ddNTPs), namely, ddATP, ddCTP, ddGTP and ddTTP, to terminate the extension of the elongating deoxynucleotide polymers at various lengths.

In the classic one-step Sanger method, the sequence determination is carried out in a set of four separate tubes, each containing all four normal dNTPs, one of which is labeled with a radioactive isotope,  $^{32}\text{P}$  or  $^{35}\text{S}$ , for autoradiographic localization, a limiting amount of one of the four ddNTPs, a DNA polymerase, a primer, and the DNA template to be sequenced. As a result of the DNA polymerase activity, individual nucleotides or nucleotide analogs are added to the new DNA chains, all starting from the 3' end of the primer in a 5'-3' direction, and each linked to adjacent ones with a phosphodiester bond in a

base sequence complementary to the DNA sequence of the template. Inasmuch as there is a nucleotide analog in the reaction mixture, each tube eventually contains numerous newly formed DNA strands of various lengths, all ending in a particular ddNTP, referred to as A, C, G or T terminator.

After resolving the four sets of reaction products by high-resolution polyacrylamide/urea gel electrophoresis, the populations of the newly formed DNA strands are separated and grouped according to their molecular weight. An autoradiographic image of the gel will show the relative positions of these DNA strands as bands which differ from one another in distance measured by one nucleotide in length, all sharing an identical primer and terminating with a particular ddNTP (A, C, G or T). By reading the relative positions of these bands in the "ladder" of the autoradiograph, the DNA sequence of the template can be deduced.

The DNA polymerase used in the reaction mixture plays a pivotal role in DNA sequencing analysis. To be useful for DNA sequencing, a DNA polymerase must possess certain essential properties. For example, it must have its natural 5'-3' exonuclease activity removed by mutagenesis or by posttranslational modification, such as enzymatic digestion, and must be able to incorporate dNTPs and ddNTPs, without undue discrimination against ddNTP and with a sufficiently high processivity which refers to the ability of the enzyme to polymerize nucleotides onto a DNA chain continuously without being dislodged from the chain, and a sufficiently high elongation rate. A 5'-3' exonuclease activity associated with a DNA polymerase will remove





different DNA polymerases, or performing another sequencing reaction with the template which is complementary to the first single-stranded DNA template, and compare the results for possible discrepancies.

Numerous investigators have tried to find an ideal DNA polymerase for enzymatic sequencing, i.e. an enzyme that not only has all the essential properties required for sequencing reaction, but also is capable of resolving the secondary hairpin structures and preventing the formation of strands containing nucleotides non-complementary to those of the template being sequenced.

The discovery by Ye and Hong (4) of the thermostable large fragment of DNA polymerase isolated from *Bacillus stearothermophilus* (Bst), an enzyme that is functional over the temperature range between 25°C and 75°C, but is most active at 65°C, and possesses all the essential properties for DNA sequencing, has largely solved the problem caused by secondary structures in the template since these secondary structures are destabilized when the sequencing reaction is carried out at 65°C. In the past few years since this enzyme was made commercially available under the name of Bst DNA Polymerase (Bio-Rad Laboratories), independent reports have confirmed that during sequencing reaction catalyzed by this enzyme all four dNTPs, including dCTP, and other nucleotide analogs, such as dITP and 7-deaza-dGTP, are incorporated equally effectively in the chain elongation, thus eliminating the weak "C" band phenomena often observed when other DNA polymerases are used, and producing a very good band uniformity on the sequencing gel. It has been further established that at this elevated temperature Bst DNA

polymerase system can be used both for the classic Sanger one-step reaction as well as for the "labeling/termination" sequencing reaction, double-stranded DNA sequencing, and the incorporation of <sup>35</sup>S-labeled nucleotides, and <sup>32</sup>P-labeled nucleotides. Since this system can be placed at room temperature for at least two weeks without significant loss of its enzymatic activity, it has been adapted for automation of DNA sequencing which requires a stable DNA polymerase, using either fluorescent dye or radioactive isotope labeling. (See also 9, 12, and 13.)

However, when this Bst enzyme is used for automated fluorescent DNA sequencing, only partially satisfactory results have been obtained with fluorescent dye-labeled primers (see 12 and EG Bulletin 1771 of Bio-Rad Laboratories), and even less satisfactory results are obtained with fluorescent dye-labeled ddNTP terminators. Even when fluorescent dye-labeled primers are used, a significant number of mismatched ddNTPs are incorporated onto the 3' end of the extending nucleotides in the enzymatic reaction, thus generating erroneous sequencing data (see Bio-Rad EG Bulletin 1771). With this in mind, the inventors sought, and found, a better DNA polymerase for DNA sequencing, especially for automated fluorescent dye-labeled primer and fluorescent dye-labeled terminator sequencing.

Another disadvantage of the Bst DNA polymerase currently known in the art is its lack of 3'-5' exonuclease activity (5), and specifically, proof-reading 3'-5' exonuclease activity. A survey of the sequencing data collected from fourteen research centers which have used this Bst DNA polymerase for their DNA

sequencing work on over 120 DNA clones showed that, statistically, base pair mismatching occurs at a rate of about  $1.5 \times 10^{-5}$ . That is, approximately 1.5 errors can be expected in one hundred thousand nucleotide incorporations during nucleotide polymerization catalyzed by the enzyme.

It is generally known that the formation of incorrect DNA sequences due to mismatching of base pairs between the template and the growing nucleotide chain in DNA sequencing may be prevented by a 3'-5' exonuclease activity which "proof-reads" the nucleotide chain. However, even if a DNA polymerase exhibits 3'-5' exonuclease activity *in vitro*, it is often the case that the polymerase will not adequately "proof-read". Thus, the polymerase will not be capable of removing mismatched nucleotides from a newly formed DNA strand as efficiently as those nucleotides correctly matched with the nucleotides of the template. In other words, a 3'-5' exonuclease may excise the correctly matched nucleotides at a faster rate than the mismatched ones from the 3' terminus, or excise both the correctly matched and the mismatched nucleotides at the same rate. Consequently, even where the DNA polymerase has 3'-5' exonuclease activity, it does not perform any useful proof-reading function during DNA polymerization.

It is also known that a 3'-5' exonuclease activity associated with a DNA polymerase, in the presence of low concentrations of dNTPs, often counteracts the normal chain elongation process catalyzed by the polymerase, induces cyclic incorporation and degradation of nucleotides over the same segment of template, or even operates more efficiently than the polymerase activity *per se*, to the extent of causing

degradation of the primer. Consequently, removal of the 3'-5' exonuclease activity along with the 5'-3' exonuclease activity from the native DNA polymerases by chemical means or by genetic engineering techniques has become a standard procedure in producing DNA polymerases for sequencing. This is a common strategy to preserve the essential properties of a DNA polymerase.

For example, among the major commercially available sequencing enzymes (other than the native Taq (*Thermus aquaticus*) DNA polymerase which lacks a 3'-5' exonuclease activity *de novo*) the 3'-5' exonuclease activity has been removed from the native T7 DNA polymerase, which lacks a 5'-3' exonuclease, either by a chemical reaction that oxidizes the amino acid residues essential for the exonuclease activity (Sequenase™ Version 1) or genetically by deleting 28 amino acids essential for the 3'-5' exonuclease activity (Sequenase™ 2).

Vent<sub>R</sub>(exo<sup>-</sup>) DNA polymerase, which is recommended as the preferred form of the Vent DNA polymerase for sequencing, also has its 3'-5' exonuclease activity removed by genetic modification. The native Vent DNA polymerase and the Klenow fragment isolated from the native *E. coli* DNA polymerase I possess a 3'-5' exonuclease; but these enzymes are no longer considered the enzymes of choice for DNA sequencing.

The currently known Bst DNA polymerase (e.g., produced by Bio-Rad Laboratories) isolated and purified from the cells of *Bacillus stearothermophilus* for DNA sequencing is free of 3'-5' exonuclease activity (5).

IsoTherm™ DNA Polymerase, a commercially available Bst DNA polymerase for DNA sequencing, marketed by Epicentre Technologies (1402 Emil

Street, Madison, WI 53713), is also based on a Bst DNA polymerase whose 3'-5' exonuclease activity has been enzymatically removed (6).

5 Only the rBst DNA Polymerase produced from an over-expressing recombinant clone in E. coli, which is the product of the DNA pol I gene of *Bacillus stearothermophilus*, possesses a 3'-5' exonuclease activity in addition to a 5'-3' exonuclease activity. However, due to the  
10 existence of an undesirable 5'-3' exonuclease activity and a 3'-5' exonuclease activity of unknown characteristics, the latter product is not recommended by the company for DNA sequencing (6).

15 Over the past 10 years there has been a trend to develop and improve the automated fluorescent DNA sequencing technology to replace the classic radioactive isotope labeling manual method for DNA sequencing because of the potential harmful effects of the radioactive materials to  
20 humans and because of the need for automated high throughput DNA sequencing systems. In using fluorescent dyes as markers for labeling the DNA strands generated in enzymatic reactions for sequencing, the dyes can be either coupled with the primer, or coupled with the ddNTP terminators, namely the dye-labeled ddATP, dye-labeled ddCTP, dye-labeled ddGTP and dye-labeled ddTTP.  
25 Sequencing techniques based on these two forms of labeling of the final enzymatic reaction products are commonly referred to as "dye primer sequencing" and "dye terminator sequencing", respectively.  
30

35 In the dye primer sequencing, ddNTPs are employed as the chain terminators, as in the original classic Sanger method which uses radioactive isotope as the marker. The molecular structure of ddNTPs are almost identical to that

of dNTPs, the natural building blocks of all DNA molecules. Therefore, any DNA polymerase which has been used for radioactive isotope manual DNA sequencing can be easily adapted for fluorescent dye primer DNA sequencing with equally satisfactory results. The disadvantage in the dye primer technology is that the primer for each template to be sequenced must be labeled with four different fluorescent dyes and that the enzymatic reaction must be performed in four separate test tubes each containing only one of the ddNTPs, namely ddATP, ddCTP, ddGTP or ddTTP, as in the classic Sanger radioisotope method.

In the dye terminator technology for DNA sequencing, the fluorescent dye-labeled ddATP, dye-labeled ddCTP, dye-labeled ddGTP and dye-labeled ddTTP are coupled with different fluorescent dyes, each emitting a specific light spectrum, thus directly reporting the type of ddNTP at the 3' terminus of the DNA fragment. Unlike the situations in the dye primer technology in which four different fluorescent dyes are coupled to a primer incorporated into all newly formed DNA strands, these dye-labeled ddNTPs serve the dual function of a specific base terminator and a "color marker". There is no need to label the primer for each new template, and the polymerase DNA extension reaction can be performed in a single test tube to generate the required specifically terminated and specifically dye-labeled DNA fragments of various sizes for DNA sequencing.

The advantage of using fluorescent dye-labeled terminators for DNA sequencing is obvious. However, there are certain difficulties to overcome before an enzymatic reaction system suitable for a radioisotope technique or suitable

for a dye primer technique can be adapted for a  
dye terminator technology. An increase of the  
molecular weight from less than 500 for a ddNTP  
terminator to about 800 or more for a fluorescent  
5 dye-labeled ddNTP terminator may be associated  
with potential three-dimensional structural  
changes. These molecular alterations may  
interfere with the process of incorporation of the  
dye-labeled ddNTPs as chain terminators by the DNA  
10 polymerase to the 3' end of an extending DNA  
strand in terms of lowering the rate of  
incorporation, lowering the processivity of the  
enzyme for this new substrate, reducing the  
enzyme-terminator binding specificity and changing  
15 the enzyme-terminator binding kinetics.

For example, both Taq DNA polymerase and  
Sequenase II<sup>TM</sup> (a T7 DNA polymerase) have been used  
for radioisotope labeling DNA sequencing with  
excellent results, and have been adapted for  
20 fluorescent dye-labeled primer DNA sequencing.  
But neither can be used for fluorescent dye-  
labeled terminator DNA sequencing technologies.  
As reported in U.S. Patent 5,614,365, when the Taq  
DNA polymerase was used for fluorescent dye-  
25 labeled terminator chemical reactions, the  
reaction products generated no readable data on  
the DNA sequencer. Most of the fluorescence was  
either in unincorporated dye-ddNTPs at the leading  
front of the test gel, or in fragments greater  
30 than several hundred bases in length. Using a Taq  
DNA polymerase mutant in which the amino acid,  
phenylalanine, at position 667 of its amino acid  
sequence has been replaced by a tyrosine and which  
has an increased ability to incorporate  
35 dideoxynucleotides (6,000 times more efficient),  
to replace the unmodified Taq DNA polymerase for  
the experiment, the results are significantly



improved. This F667Y mutant of Taq DNA polymerase is now marketed by Amersham Life Science, Inc. under the trademark ThermoSequenase™. It is used for cycle-sequencing in which the enzymatic reaction mixture is subjected to numerous cycles of extension-termination, denaturing and annealing to ensure that sufficient dye-terminator-labeled enzymatic reaction products are generated for the DNA sequencing procedure. Because of the low processivity of the parent Taq DNA polymerase, ThermoSequenase™ is not recommended for direct DNA sequencing without precyclings. Like Taq DNA polymerase, ThermoSequenase™ lacks a proof-reading exonuclease activity.

*Bacillus stearothermophilus*, *Bacillus caldotenax* and *Bacillus caldolyticus* are classified as mesophilic microbes; although their DNA polymerases are referred to as thermostable (most active at 65°C) they are inactivated at 70°C or above. This is contrasted with other enzymes, such as Taq, which are truly thermophilic--that is, their DNA polymerases tolerate and remain active at temperatures higher than 95°C. These mesophilic bacillus strains, especially *Bacillus stearothermophilus*, produce DNA polymerases that are useful in DNA sequencing applications. However, a disadvantage of the DNA polymerases of these strains is that during DNA sequencing they all exhibit a high degree of selective discrimination against incorporation of certain particular members of fluorescent dye-labeled ddNTPs, namely the fluorescent dye-labeled ddCTP and fluorescent dye-labeled ddATP, as terminators onto the 3' end of the extending DNA fragments during enzymatic reaction. This peculiar characteristic of selective discrimination against incorporation of fluorescent dye-labeled ddCTP and

ddATP of the natural DNA polymerases isolated from *Bacillus stearothermophilus* and *Bacillus caldovenax* was not previously recognized. Such selective discrimination is apparently sequence-related, and cannot be corrected or compensated by mere adjustment of the concentrations of the dNTPs.

Thus, there is a need for a mesophilic bacillus DNA polymerase that does not selectively discriminate against incorporation of fluorescent dye-labeled ddCTP and ddATP, during dye primer or dye terminator DNA sequencing.

#### SUMMARY OF THE INVENTION

This invention addresses the above-described problems associated with mesophilic bacillus DNA polymerases by providing novel DNA polymerases which, during direct DNA sequencing, reduce the innate selective discrimination against the incorporation of fluorescent dye-labeled ddCTP and fluorescent dye-labeled ddATP, without increasing the rate of incorporation of the other two dye-labeled ddNTP terminators (ddTTP and ddGTP) excessively. In particular, this invention provides a novel genetic modification of the amino acid sequence of a highly processive DNA polymerase (such as isolated from *Bacillus stearothermophilus*, *Bacillus caldovenax* or *Bacillus caldolyticus*) that, unmodified, selectively discriminates against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddATP and ddCTP (but does not discriminate against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddTTP and ddGTP). The modification results in a reduction of the innate selective discrimination against incorporation of fluorescent dye-labeled

dideoxynucleotide terminators ddATP and ddCTP, such that all four of the ddNTP terminators are effectively incorporated into the DNA primer elongated by the DNA polymerase. Thus, the modified DNA polymerase of this invention is effective in reducing the innate selective discrimination against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddATP and ddCTP characteristic of the DNA polymerase in its unmodified state.

In particular, the preferred DNA polymerase is a modification of a DNA polymerase isolated from a strain of a mesophilic bacterium, such as *Bacillus stearothermophilus*, *Bacillus caldotenax* or *Bacillus caldolyticus*. The approach of modifying the DNA polymerase described herein may be used to modify other DNA polymerases which share a close amino acid homology of a DNA polymerase isolated from a strain *Bacillus stearothermophilus*, *Bacillus caldotenax* or *Bacillus caldolyticus*, as long as the unmodified DNA polymerases have a selective discrimination against incorporation of fluorescent dye-labeled dideoxynucleotide ddCTP and/or ddATP as terminators in the enzymatic reaction for preparing materials for automated fluorescent DNA sequencing. Consequently, it is preferred that the modified DNA polymerase has an amino acid sequence that shares not less than 95% homology of a DNA polymerase isolated from a strain of *Bacillus stearothermophilus*, *Bacillus caldotenax* or *Bacillus caldolyticus*.

The particularly preferred mesophilic species is *Bacillus stearothermophilus*, which is highly heterogeneous. This is indicated by the wide range of DNA base compositions as well as the range of the phenotypic properties of strains

assigned to this species (see Bergey's Manual of Systemic Bacteriology, Eds. P.H.A. Sneath, N.S. Mair, M.E. Sharpe and J.G. Holt, Williams & Wilkins, 1986, Vol. 2, page 1135). Therefore, it is reasonable to assume that the amino acid sequences of DNA polymerases isolated from various strains would be heterogeneous with potential functional differences. Although DNA polymerases isolated from the known standard strains of *Bacillus stearothermophilus* have been shown to lack a 3'-5' exonuclease activity, a questionable trace of "contaminating" 3'5' exonuclease has been observed in a purified DNA polymerase preparations (see Kaboev et al., J. Bacteriology, Vol. 145, page 21-26, 1981).

Consequently, the inventors began to address the above-identified problems in the art by discovering a strain of *Bacillus stearothermophilus* (designated strain No. 320 for identification purposes; described in U.S. 5,747,298) that produces a DNA polymerase (designated Bst 320) with a proof-reading 3'-5' exonuclease activity which is absent in DNA polymerases isolated from other strains of *Bacillus stearothermophilus*. (For this invention, the term "proof-reading" is intended to denote that the DNA polymerase is capable of removing mismatched nucleotides from the 3' terminus of a newly formed DNA strand at a faster rate than the rate at which nucleotides correctly matched with the nucleotides of the template are removed during DNA sequencing.) The strain Bst 320 was deposited on October 30, 1995 in the American Type Culture Collection, located at 12301 Parklawn Drive, Rockville, Maryland 20852, and has been given ATCC Designation No. 55719. The DNA polymerase isolated from Bst 320 is composed of 587 amino

acids as are the DNA polymerases of other known strains of *Bacillus stearothermophilus*, such as, for instance, the strains deposited by Riggs et al (Genbank Accession No. L42111) and by Phang et al. (Genbank Accession No. U23149). However, the Bst 320 shares only 89.1% sequence identity at protein level with the *Bacillus stearothermophilus* DNA polymerase deposited by Riggs et al., and shares only 87.4% sequence identity at protein level with the *Bacillus stearothermophilus* DNA polymerase deposited by Phang et al. For comparison, the above-referenced enzyme deposited by Riggs et al. and the enzyme deposited by Phang et al. share 96.9% of their amino acid sequence identity.

The inventors studied a thermostable DNA polymerase isolated from a different species, *Bacillus caldotenax* (Bca), which also has an optimum active temperature at 65°C. The inventors discovered that the Bst 320 DNA polymerase shares 88.4% of the amino acid sequence identity with Bca DNA polymerase (Uemori et al. J. Biochem. 113: 401-410, 1993). Based on homology of the amino acid sequences, Bst 320 DNA polymerase is as close to DNA polymerases isolated from *Bacillus stearothermophilus* as to the DNA polymerase isolated from *Bacillus caldotenax*, i.e. another species of bacillus. It was also discovered that both Bst 320 DNA polymerase and Bca DNA polymerase functionally exhibit 3'-5' exonuclease activity, which is not associated with known amino acid sequence exonuclease motifs I, II and III as in the *E. coli* DNA polymerase I model, or other known *Bacillus stearothermophilus* polymerases.

The inventors has studied the DNA polymerases of three different strains of *Bacillus stearothermophilus* (including DNA polymerase obtained from Bst 320) and the DNA polymerase of

*Bacillus caldotenax* and found that they all exhibit a high degree of selective discrimination against incorporation of certain particular members of fluorescent dye-labeled ddNTPs, namely the fluorescent dye-labeled ddCTP and fluorescent dye-labeled ddATP, as terminators onto the 3' end of the extending DNA fragments during enzymatic reaction. This is especially the case when the preceding 3' end base of the extending DNA fragment is a dGMP (G) or a dAMP (A). (By "dNTP" it is intended to denote the four commonly known deoxynucleotide triphosphates, dATP, dTTP, dCTP, and dGTP.)

This selective discrimination causes missing peaks and ambiguous peaks on a color plot generated by the automated fluorescent DNA sequencer, and causes loss of sequencing data and erroneous base callings. This is shown in Figures 6 and 8.

This disadvantage of the natural bacillus DNA polymerases in fluorescent dye-labeled terminator DNA sequencing cannot be corrected or compensated by mere adjustment of the concentrations of the dNTPs and the fluorescent dye-labeled ddNTPs in the reaction mixture. This selective discrimination against the specific dye-labeled ddNTPs is also sequence-related as demonstrated with respect to Bst in Figures 6 and 8, in which the missing or ambiguous "C" peaks and "A" peaks tend to occur immediately following a preceding "G" peak or a preceding "A" peak. Of particular interest is the fact that the "C" and "A" peaks immediately following a preceding "C" or a preceding "T" peak are quite strong and resolvable in the same color plot analysis, indicating that the concentrations of dNTPs and the fluorescent dye-labeled ddCTP and the

fluorescent dye-labeled ddATP were adequate for the termination reaction.

According to the structural model studies carried out on *E. coli* DNA polymerase I (Klenow fragment), certain amino acids in a particular region or regions of a DNA polymerase appear to play important roles in dNTP and ddNTP bindings and their final incorporation, and affect discrimination between deoxy and dideoxynucleotide substrates. For example, mutation of the amino acids arginine, asparagine, lysine, tyrosine, phenylalanine, aspartate, and glutamate in certain locations of amino acid sequences of Klenow fragment may affect the binding of dNTP and discrimination between deoxy and dideoxynucleotides. (See: Joyce, C.M., Current Opinion in Structural Biology, 1:123-129, 1991. Joyce and Steitz, Annu. Rev. Biochem., 63:777-822, 1993, page 800. Carrol et al., Biochemistry 30:804-813, 1991).

The problem which faced the inventors was how to reduce the selective discrimination against the incorporation of fluorescent dye-labeled ddCTP and fluorescent dye-labeled ddATP by site-directed mutagenesis of a DNA polymerase, without increasing the rate of incorporation of the other two dye-labeled ddNTP terminators excessively. In particular, the new mutant must be able to incorporate more correctly base-matched dye-labeled ddCTP and/or dye-labeled ddATP terminators to the dGMP (G) and dAMP (A) bases, than to the dCMP (C) and dTMP (T) bases of the extending DNA fragments during enzymatic reaction. A blanket increase in the ability of an enzyme to incorporate all four dye-labeled ddNTPs to the same proportion would serve no useful purpose for the group of DNA polymerases isolated from

mesophilic bacilli since, unlike the Taq DNA polymerase, the unmodified natural enzymes of *Bacillus stearothermophilus* and *Bacillus caldotenax* already possess a high ability to incorporate fluorescent dye-labeled ddGTP and fluorescent dye-labeled ddTTP, and even the fluorescent dye-labeled ddCTP and dye-labeled ddATP provided at the immediately preceding base at the 3' end of the extending DNA fragment is not a "G" or an "A".

The inventors found that DNA polymerases isolated from strains of *Bacillus stearothermophilus* and *Bacillus caldotenax* possess the same amino acids at certain specific positions in their amino acid sequence. For example, they all have leucine-glutamate-glutamate at positions corresponding to positions 342-344 and phenylalanine at a position corresponding to position 422 of the amino acid sequence of the DNA polymerase isolated from No 320 strain of *Bacillus stearothermophilus*. The inventors further discovered that the most optimal modification to solve the problem of selective discrimination in direct fluorescent DNA sequencing for these DNA polymerases is to modify the four amino acids of the natural DNA polymerases referenced above in such a form that threonine-proline-leucine substitute respectively for leucine-glutamate-glutamate at positions 342-344 and tyrosine substitutes for phenylalanine at position 422 in their amino acid sequences. Accordingly, the nucleotide sequence encoding the natural forms of the DNA polymerases are modified at positions 1024-1032 from CTCGAAGAG to ACCCCACTG and at position 1265 from T to A to encode for the DNA polymerases having the desired properties. The combined effects of these amino acid



modifications reduce the selective discrimination against incorporation of fluorescent dye-labeled ddCTP and dye-labeled ddATP of the naturally-occurring mesophilic bacillus DNA polymerases during enzymatic reaction for direct automated fluorescent DNA sequencing.

Initially, the DNA polymerases used in the inventors' research were obtained by overexpression of the genes encoding the naturally-occurring enzymes of *Bacillus stearothermophilus* and *Bacillus caldotenax*. Subsequently, modified DNA polymerases obtained by overexpression of the site-directed mutated genes were used. This invention provides both the nucleotide and amino acid sequence for a modified DNA polymerase to illustrate the practice of this new approach of modifying a special group of DNA polymerases, as described below.

In one preferred embodiment, the Bst 320 DNA polymerase is used for the unmodified, naturally-occurring DNA polymerase, although DNA polymerases isolated from other strains of mesophilic bacilli (for instance, *Bacillus stearothermophilus* and *Bacillus caldotenax*) can be used as the starting enzymes for the genetic modification. As noted above, the Bst 320 DNA polymerase is also capable of proofreading 3'-5' exonuclease activity. In particular, the invention provides the DNA and amino acid sequences for the isolated and purified DNA polymerase having this function. These sequences are also described below.

The invention also contemplates an isolated strain of *Bacillus stearothermophilus* which produces a DNA polymerase having an ability to reduce selective discrimination against incorporation of fluorescent dye-labeled

dideoxynucleotide terminators ddCTP and ddATP, but not fluorescent dye-labeled dideoxynucleotide terminators ddGTP and ddTTP, in the presence of dNTPs and the four fluorescent dye-labeled dideoxynucleotide terminators. Preferably, the Bst strain produces a DNA polymerase which also has proofreading 3'-5' exonuclease activity during DNA sequencing of a DNA strand from a template.

As mentioned above, the invention also contemplates DNA polymerases obtained or otherwise derived from any bacillus strain, or made synthetically, as long as the amino acid sequences of the naturally-occurring DNA polymerases have leucine-glutamate-glutamate at positions corresponding respectively to positions 342-344 of Bst 320 DNA polymerase and phenylalanine at a position corresponding to position 422 of Bst 320 DNA polymerase. For example, DNA polymerases derived from other strains of *Bacillus stearothermophilus* or *Bacillus caldotenax* or other mesophilic bacilli may be easily modified using conventional DNA modification techniques to include the amino acid or nucleotide substitutions identified above.

The invention also provides a DNA construct comprising at least one of the above-described DNA polymerase sequences and a vector (such as a cloning vector or an expression vector), for introducing the DNA construct into eucaryotic or procaryotic host cells (such as an *E. coli* host cell). In addition, the invention further provides a host cell stably transformed with the DNA construct in a manner allowing production of the peptide encoded by the DNA segment in the construct.

The invention also provides improved methods for replicating DNA and sequencing DNA

using the above-described DNA polymerases of the invention. The DNA polymerases are useful in both direct dye terminator DNA sequencing and dye-primer DNA sequencing.

5 Preferably, the method of sequencing a DNA strand may comprise the steps of:

i) hybridizing a primer to a DNA template to be sequenced;

10 ii) extending the primer using a DNA polymerase which has an ability to reduce selective discrimination against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddCTP and ddATP, in the presence of adequate amounts of nucleotide bases dATP, dGTP, dCTP and dTTP, or their analogs, and the four  
15 fluorescent dye-labeled dideoxynucleotide terminators,

under such conditions that the DNA strand is sequenced.

20 Further objects and advantages of the invention will become apparent from the description and examples below.

#### BRIEF DESCRIPTION OF THE DRAWINGS

25 In the Figures and throughout this disclosure, "HiFi Bst" or "Bst 320" DNA polymerase refers to the unmodified naturally occurring DNA polymerase having proofreading 3'-5' exonuclease activity, either isolated from the cells of No. 320 strain of *Bacillus stearothermophilus* or  
30 produced by overexpression of the gene encoding this naturally occurring DNA polymerase. (This Bst strain and DNA polymerase are described in U.S. Patent 5,747,298.) "HiFi Bst-II" refers to the modified form of "HiFi Bst" DNA polymerase which  
35 has an ability to reduce selective discrimination

against fluorescent dye-labeled ddCTP and ddATP. HiFi Bst-II is an example of one preferred embodiment of this invention.

5 Figure 1. This graph shows the thermostability at 65°C of HiFi Bst-II and HiFi Bst.

Y: relative polymerase activity (%)

X: incubation time (minutes).

10 Figure 2. This shows a autoradiograph of a DNA sequencing gel obtained by using radiolabeled primer with HiFi Bst-II and HiFi Bst, and shows the dideoxy-nucleotide incorporation of HiFi Bst-II and HiFi Bst in a reaction mixture with a suboptimally low ddNTP/dNTP ratios.

15 Template: single-stranded M13mp18;

Primer: -20M13 forward primer.

20 Figure 3. This shows a autoradiograph of a DNA sequencing gel obtained by using radiolabeled dATP with HiFi Bst and HiFi Bst-II in reaction mixtures with optimized ddNTP/dNTP ratios. The sequence pattern with HiFi Bst-II is better than that with HiFi Bst.

Template: single-stranded M13mp18;

Primer: -20M13 forward primer.

25 Figure 4. This shows the results of dye-primer DNA sequencing with HiFi Bst

Template: single-stranded pGEM-3Zf(+);

Primer: -21M13 forward DYEnamic Energy Transfer Dye Primers.

30 Figure 5. This shows the results of dye-primer DNA sequencing with HiFi Bst-II.

Template: single-stranded M13mp18;

Primer: -21M13 forward DYEnamic Energy Transfer Dye Primers.

35 Figure 6. This shows the results of dye-terminator DNA sequencing with HiFi Bst

Template: single-stranded pGEM-

3Zf(+);

Primer: -20M13 forward primer.

Figure 7. This shows the results of dye-terminator DNA sequencing with HiFi Bst-II.

5 Template: single-stranded M13mp18;

Primer: -20M13 forward primer.

Figure 8. Like Figure 6, this shows the results of four fluorescent dye-labeled terminators DNA sequencing with HiFi Bst. In Figure 8 corrections of the missing or ambiguous bases, according to the known pGEM sequence, are indicated below the letters "N" or below the incorrect base letters.

10 Template: single-stranded pGEM-

15 3Zf(+);

Primer: -20M13 forward primer.

#### DETAILED DESCRIPTION OF THE INVENTION

The DNA polymerases of the invention are capable of reducing selective discrimination against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddCTP and ddATP, (but not ddGTP and ddTTP), in the presence of adequate amounts of dNTPs and the four terminators.

20 The inventors discovered that certain modifications of the amino acid sequence of DNA polymerases (i.e., modifying the amino acids at positions 342-344 to substitute threonine, proline and leucine, respectively, for leucine, glutamate and glutamate, and modifying the amino acid at position 422 to substitute tyrosine for phenylalanine, as corresponding to the amino acid sequence of Bst 320 DNA polymerase) result in a marked reduction of the innate selective discrimination against incorporation of

fluorescent dye-labeled dideoxynucleotide ddCTP and ddATP, that is characteristic of the unmodified DNA polymerase. This reduction of selective discrimination can be demonstrated by direct automated fluorescent terminator DNA sequencing as recovered missing or ambiguous "C" peaks and/or "A" peaks in the automated sequencing results, using a known template as standard.

The preferred source for the DNA polymerase is *Bacillus stearothermophilus* because DNA polymerase isolated from this mesophilic bacillus is highly processive, can be used and stored in dried down form, has an optimum temperature at 65°C, and can be used for direct DNA sequencing without precycling. The preferred Bst DNA polymerase is that isolated from strain 320 with an amino acid sequence as follows:

Amino acid sequence (SEQ ID NO:2):

AEGEKPLEEM EFAIVDVITE EMLADKAALV VEVMEENYHD  
APIVGIALVN EHGRFFMRPE TALADSQFLA WLADETKKKS  
MFDKRAVVA LKWKGIELRG VAFDLLLAAY LLNPAQDAGD  
IAAVAKMKQY EAVRSDEAVY GKGVKRSLPD EQTLAEHLVR  
KAAAIWALEQ PFMDDLRNNE QDQLLTKLEH ALAAILAEME  
FTGVNVDTKR LEQMGSELAE QLRAIEQRIY ELAQEFNIN  
SPKQLGVILF EKLQLPVLKK TKTGYSTSAD VLEKLAPHHE  
IVENILHYRQ LGKLQSTYIE GLLKVVRPDT GKVHTMFNQA  
LTQTGRLSSA EPNLQNIPIR LEEGRKIRQA FVPSEPDWLI  
FAADYSQIEL RVLAHIADDD NLIEAFQORDL DIHTKTAMDI  
FQLSEEEVTA NMRRQAKAVN FGIVYGISDY GLAQNLNITR  
KEAAEFIERY FASFPGVKQY MENIVQEAKQ KGYVTTLHR  
RRYLPDITSR NFNVRSAER TAMNTPIQGS AADIKKAMI  
DLAARLKEEQ LQARLLLQVH DELILEAPKE EIERLCELVP  
EVMEQAVTLR VPLKVDYHYG PTWYDAK

The characters represent the following amino

acids:

where,

	A: alanine (Ala)	M: methionine (Met)
	C: cysteine (Cys)	N: asparagine (Asn)
5	D: aspartic acid (Asp)	P: proline (Pro)
	E: glutamic acid (Glu)	Q: glutamine (Gln)
	F: phenylalanine (Phe)	R: arginine (Arg)
	G: glycine (Gly)	S: serine (Ser)
	H: histidine (His)	T: threonine (Thr)
10	I: isoleucine (Ile)	V: valine (Val)
	K: lysine (Lys)	W: tryptophan (Trp)
	L: leucine (Leu)	Y: tyrosine (Tyr)

15 The Bst 320 DNA polymerase is characterized by possessing a proofreading 3'-5' exonuclease activity.

The nucleotide sequence encoding the unmodified Bst 320 DNA polymerase is indicated in SEQ ID NO:1, in Example 2 below.

20 The following amino acid sequence represents the modified Bst 320 DNA polymerase as the preferred embodiment of this invention, modified from the naturally-occurring Bst 320 DNA polymerase at positions 342-344 to substitute threonine, proline and leucine, respectively, for leucine, glutamate and glutamate, and at position 25 422 to substitute tyrosine for phenylalanine.

Amino acid sequence (SEQ ID:No 4):

MAEGEKPLEEMEFAIVDVITEEMLADKAALVVEVMEENYHDAPIV  
GIALVNEHGRFFMRPETALADSQFLAWLADETKKKSMFDAKRAVV  
30 ALKWKGIELRGVAFDLLLLAAYLLNPAQDAGDIAAVAKMKQYEAVR  
SDEAVYVGKGVKRSLPDEQTLAEHLVRKAAAIWALEQPFMDDLNN  
EQDQLLTKEHALAAILAEMEFTGVNVDTKRLEQMGSELAELRLA  
IEQRIYELAGQEFNINSPKQLGVILFEKLQLPVLKKTGTGYSTSA  
DVLEKLAPHHEIVENILHYRQLGKLQSTYIEGLLKVVVRPDTGKVH  
35 TMFNQALTQTGRLSSAEPNLQNIPRTPLGRKIRQAFVPSEPDWL  
IFAADYSQIELRVLAHIADDDNLEAFQRDLDIHTKTAMDIFQLS

EEEV TANMRRQAKAVNYGIVYGISDYGLAQNLNITRKEAAEFIER  
 YFASFPGVKQYMENIVQEAKQKGYVTLLHRRRYLPDITSRNFNV  
 RSFAERTAMNTPIQGSAAIIKKAMIDLAARLKEEQLQARLLLQV  
 HDELILEAPKEEIERLCELVPEVMEQAVTLRVPLKVDYHYGPTWY  
 DAK

5

The underlined amino acids are substituted amino acids produced by site-directed mutation of the naturally-occurring Bst 320 DNA polymerase.

The modified Bst 320 DNA polymerase is encoded by a DNA sequence such as the following (SEQ ID NO:3):

ATG

	GCCGAAGGGG	AGAAACCGCT	TGAGGAGATG	GAGTTTGCCA
	TCGTTGACGT	CATTACCGAA	GAGATGCTTG	CCGACAAGGC
15	AGCGCTTGTC	GTTGAGGTGA	TGGAAGAAAA	CTACCACGAT
	GCCCCGATTG	TCGGAATCGC	ACTAGTGAAC	GAGCATGGGC
	GATTTTTTAT	GCGCCCGGAG	ACCGCGCTGG	CTGATTTCGA
	ATTTT TAGCA	TGGCTTGCCG	ATGAAACGAA	GAAAAAAGC
	ATGTTTGACG	CCAAGCGGGC	AGTCGTTGCC	TTAAAGTGGA
20	AAGGAATTGA	GCTTCGCGGC	GTCGCCTTTG	ATTTATTGCT
	CGCTGCCTAT	TTGCTCAATC	CGGCTCAAGA	TGCCGGCGAT
	ATCGCTGCGG	TGGCGAAAAT	GAAACAATAT	GAAGCGGTGC
	GGTCGGATGA	AGCGGTCTAT	GGCAAAGGCG	TCAAGCGGTC
	GCTGCCGGAC	GAACAGACGC	TTGCTGAGCA	TCTCGTTCGC
25	AAAGCGGCAG	CCATTTGGGC	GCTTGAGCAG	CCGTTTATGG
	ACGATTTGCG	GAACAACGAA	CAAGATCAAT	TATTAACGAA
	GCTTGAGCAC	GCGCTGGCGG	CGATTTTGGC	TGAAATGGAA
	TTCACTGGGG	TGAACGTGGA	TACAAAGCGG	CTTGAACAGA
	TGGGTTCGGA	GCTCGCCGAA	CAACTGCGTG	CCATCGAGCA
30	GCGCATTTAC	GAGCTAGCCG	GCCAAGAGTT	CAACATTAAC
	TCACCAAAAC	AGCTCGGAGT	CATTTTATTT	GAAAAGCTGC
	AGCTACCGGT	GCTGAAGAAG	ACGAAAACAG	GCTATTTCGAC
	TTCGGCTGAT	GTGCTTGAGA	AGCTTGCGCC	GCATCATGAA
	ATCGTCGAAA	ACATTTTGCA	TTACCGCCAG	CTTGGCAAAC
35	TGCAATCAAC	GTATATTGAA	GGATTGTTGA	AAGTTGTGCG
	CCCTGATACC	GGCAAAGTGC	ATACGATGTT	CAACCAAGCG



CTGACGCAAA CTGGGCGGCT CAGCTCGGCC GAGCCGAACT  
 TGCAAAACAT TCCGATTCGG ACCCCACTGG GGCGGAAAAT  
 CCGCCAAGCG TTCGTCCCGT CAGAGCCGGA CTGGCTCATT  
 TTCGCCGCCG ATTACTCACA AATTGAATTG CGCGTCCTCG  
 5 CCCATATCGC CGATGACGAC AATCTAATTG AAGCGTTCCA  
 ACGCGATTTG GATATTCACA CAAAAACGGC GATGGACATT  
 TTCCAGTTGA GCGAAGAGGA AGTCACGGCC AACATGCGCC  
 GCCAGGCAAA GGCCGTTAAC TACGGTATCG TTTACGGAAT  
 TAGCGATTAC GGATTGGCGC AAAACTTGAA CATTACGCGC  
 10 AAAGAAGCTG CCGAATTTAT CGAACGTTAC TTCGCCAGCT  
 TTCCGGGCGT AAAGCAGTAT ATGGAACA TAGTGCAAGA  
 AGCGAAACAG AAAGGATATG TGACAACGCT GTTGCATCGG  
 CGCCGCTATT TGCCTGATAT TACAAGCCGC AATTTCAACG  
 TCCGCAGTTT TGCAGAGCGG ACGGCCATGA ACACGCCAAT  
 15 TCAAGGAAGC GCCGCTGACA TTATTAAAAA AGCGATGATT  
 GATTTAGCGG CACGGCTGAA AGAAGAGCAG CTTCAGGCTC  
 GTCTTTTGCT GCAAGTGCAT GACGAGCTCA TTTTGGAAGC  
 GCCAAAAGAG GAAATTGAGC GATTATGTGA GCTTGTTCCG  
 GAAGTGATGG AGCAGGCCGT TACGCTCCGC GTGCCGCTGA  
 20 AAGTCGACTA CCATTACGGC CCAACATGGT ATGATGCCAA  
 A

The characters represent the following nucleotides:

A: Adenosine T: Thymidine  
 25 C: Cytidine G: Guanosine

The underlined nucleotides are substituted nucleotides produced by site-directed mutation of the naturally-occurring Bst 320 polymerase. (As would be apparent to someone skilled in this art, this DNA sequence does not indicate the starting codon.)

The invention also contemplates any DNA sequence that is complementary to the modified Bst 320 DNA sequence, for instance, DNA sequences that would hybridize to the above DNA sequence of the modified DNA polymerase under stringent conditions. As would be understood by someone

skilled in the art, the invention also  
contemplates any DNA sequence that encodes a  
peptide having these characteristics and  
properties (including degenerate DNA code).

5           This invention also contemplates allelic  
variations and mutations (for instance, adding or  
deleting nucleotide or amino acids, sequence  
recombination or replacement or alteration) which  
result in no substantive change in the function of  
10   the DNA polymerase or its characteristics. For  
instance, the DNA polymerases encompass non-  
critical substitutions of nucleotides or amino  
acids that would not change functionality (i.e.,  
such as those changes caused by a transformant  
15   host cell). In addition, the invention is  
intended to include fusion proteins and muteins of  
the unique DNA polymerases of this invention.

          The DNA sequences and amino acid  
sequences for the modified DNA polymerase of this  
20   invention are also obtainable by, for instance,  
isolating and purifying DNA polymerase from a  
*Bacillus stearothermophilus*, or a bacterial strain  
otherwise derived from *Bacillus*  
*stearothermophilus*, or other mesophilic bacillus  
25   strains such as *Bacillus caldotenax* or *Bacillus*  
*caldolyticus*. The DNA polymerases obtained from  
these organisms may be easily modified using  
conventional DNA modification techniques to  
achieve the reduction in fluorescent dye-labeled  
30   ddCTP and ddATP selective discrimination, as long  
as the unmodified amino acid sequences have  
leucine-glutamate-glutamate at positions  
corresponding respectively to positions 342-344 of  
Bst 320 DNA polymerase and phenylalanine at a  
35   position corresponding to position 422 of Bst 320  
DNA polymerase. For instance, using the primers  
and methods of screening described herein, someone

skilled in the art could isolate a DNA polymerase having the same properties and function from other strains.

In the DNA polymerases currently used in conventional DNA sequencing protocols, it is preferred that the enzymes have low or no exonuclease activity. However, in this invention, it is preferred that the DNA polymérase have a function of high fidelity ("HiFi") nucleotide incorporation. Therefore, in one preferred embodiment the invention entails modification of a naturally-occurring Bst DNA polymerase having a proofreading 3'-5' exonuclease activity. This preferred modified DNA polymerase (e.g., "HiFi Bst-II") has a nucleotide sequence indicated in SEQ ID:NO 3 and an amino sequence indicated in SEQ ID:NO 4. To initially obtain a Bst DNA polymerase having proofreading 3'-5' activity, strains of *Bacillus stearothermophilus* can be segregated into different groups according to the proof-reading exonuclease activity of their respective DNA polymerases.

The invention also provides a DNA construct comprising at least one of the DNA sequences of the modified DNA polymerase and a vector (such as a cloning vector or an expression vector), for introducing the DNA construct into host cells. An example of a suitable vector is pYZ34/LF, described below.

The host cells need only be capable of being stably transformed with the DNA construct in a manner allowing production of the peptide encoded by the DNA segment in the construct (preferably in large quantity). The host cells may be of eucaryotic or procaryotic origin (such as a E. coli host cell). For instance, the host cell may be a mesophilic organism, although this

is not a necessary requirement in order that a host cell be effective.

The invention also provides improved methods for DNA sequencing using the above-described novel DNA polymerases. The methods entail sequencing a DNA strand by conventional protocols with the following modifications:

i) hybridizing a primer to a DNA template to be sequenced;

ii) extending the primer using a DNA polymerase described above, in the presence of radiolabeled dATP, nucleotides dGTP, dCTP and dTTP, or their analogs, and ddNTP chain terminators; and

iii) allowing a DNA strand to be sequenced.

All four dNTPs, including dCTP, are incorporated equally effectively in the chain elongation during sequencing reaction catalyzed by the DNA polymerases of the invention with a high processivity and a high elongating rate.

Preferably the nucleotide premix concentrations of modified Bst DNA polymerase used in radiolabeled DNA sequencing are as following:

A mix: dATP 0.8 $\mu$ M, dCTP 80 $\mu$ M, dGTP 80 $\mu$ M, dTTP

80 $\mu$ M, ddATP 25 $\mu$ M;

C mix: dATP 0.8 $\mu$ M, dCTP 8 $\mu$ M, dGTP 80 $\mu$ M, dTTP

80 $\mu$ M, ddCTP 20 $\mu$ M;

G mix: dATP 0.8 $\mu$ M, dCTP 80 $\mu$ M, dGTP 8 $\mu$ M, dTTP

80 $\mu$ M, ddGTP 50 $\mu$ M;

T mix: dATP 0.8 $\mu$ M, dCTP 80 $\mu$ M, dGTP 80 $\mu$ M, dTTP

8 $\mu$ M, ddTTP 50 $\mu$ M. (This mixture is useful for the particular modified Bst 320 DNA polymerase set forth above, as well as for other modified Bst DNA polymerases.)

In addition, the invention contemplates other uses of the modified DNA polymerases. For instance, the DNA polymerase can also be use in

(1) filling-in 5' overhangs of DNA fragments; (2) synthesis of DNA probes by random primers labeling methodology; and (3) site-directed mutagenesis.

5                   The following non-limiting examples are illustrative of the invention.

Example 1: Screening for Bst polymerases

10                   This invention also involves a method to measure the proof-reading 3'-5' exonuclease activity of purified DNA polymerases. The method is useful to screen a large number of bacterial strains, such as *Bacillus stearothermophilus* and other mesophilic bacterial strains, to select a strain which produces a DNA polymerase with a high  
15 proof-reading 3'-5' exonuclease activity. For instance, the method to test the proof-reading 3'-5' exonuclease activity of DNA polymerase was carried out as follows.

20                   A DNA primer and two DNA templates with following sequences were synthesized chemically, using a DNA synthesizer.

17-base primer   5' CATTTTGCTGCCGGTCA 3'  
  1 mg/ml  
  (SEQ ID NO:5)

25                   Template (a) 3'-----GTAAACGACGGCCAGTCTT-----5'  
  10 mg/ml  
  (SEQ ID NO:6)

                  Template (b) 3'-----GTAAACGACGGCCAGTCGG-----5'  
  10 mg/ml  
30    (SEQ ID NO:7)

                  To produce the radiolabeled primer, 1  $\mu$ l (1  $\mu$ g) of primer, 5  $\mu$ l (50  $\mu$ g) of template (a), 1

5  $\mu$ l of [ $\alpha$ - $^{32}$ P] dATP (800 Ci/mmol), 1  $\mu$ l of dGTP (0.5 mM), 1  $\mu$ l of Taq DNA polymerase (1 unit), and 1  $\mu$ l of buffer consisting of 500 mM Tris-Cl, pH 9.0, and 150 mM MgCl<sub>2</sub>, were mixed in a test tube and incubated in a 65°C water bath for 5 minutes. The mixture was subject to alkaline denaturing gel electrophoresis. The radioactive band containing the 20-base nucleotide was isolated and dissolved in 12  $\mu$ l of 10 mM Tris-Cl buffer, containing 1 mM EDTA, pH 8.0. The final product represents the following labeled 20-base primer.

5' CATTGCTGCCGGTCAGA\*A\* 3'

(\* =  $^{32}$ P labeled)

(SEQ ID NO:8)

15 To produce radiolabeled primer-template complexes, 5  $\mu$ l of the labeled primer was mixed with 10  $\mu$ l of template (a) or template (b) respectively to form the following:

Complex (a)

20 5' CATTGCTGCCGGTCAGA\*A\* 3' (same as SEQ ID NO:8)  
3' GTAAACGACGGCCAGTCT T 5' (same as SEQ ID NO:6)

Complex (b)

5' CATTGCTGCCGGTCAGA\*A\* 3' (same as SEQ ID NO:8)  
3' GTAAACGACGGCCAGTCG G 5' (same as SEQ ID NO:7)

25 The free radiolabeled primer was removed through a G-50 Sephadex column.

30 An aliquot of complex (a) which had two correctly matched radiolabeled A\*s at the 3' terminus of the primer, and an aliquot of complex (b) which had two mismatched A\*s at the 3' terminus of the primer, were then pipetted into two individual vials of scintillation fluid and their radioactivity was measured in a

scintillation counter, and both complexes were adjusted with buffer to a concentration containing the same molarity of incorporated [ $\alpha$ - $^{32}$ P] dAMP.

To perform the proof-reading 3'-5' exonuclease activity, 20  $\mu$ l of complex (a) or complex (b), 8  $\mu$ l reaction buffer consisting of 15 mM Tris-Cl and 15 mM MgCl<sub>2</sub>, pH 8.5, 4 units of DNA polymerase, and enough water to make up a total volume of 40  $\mu$ l were pipetted into a test tube and mixed well. The mixture was subdivided into aliquots of 3  $\mu$ l each in 0.5 ml microcentrifuge tubes and was then covered with 3  $\mu$ l paraffin in each tube. The microcentrifuge tubes were incubated in a 65°C water bath. At 1, 2, 3, 5, 10, and 20 minutes, a pair of the microcentrifuge tubes were taken out from the water bath and the content of each tube was dotted onto a DE-81 Whatman filter paper. One of each pair of the filter papers was put in scintillation fluid directly and the radioactivity was counted in cpm value in a scintillation counter; the other was washed three times in 0.3 M sodium phosphate buffer, pH 6.8 before being put into the scintillation fluid for counting.

The difference in radioactivity expressed in cpm value between the washed filter paper and the unwashed filter paper in each pair was interpreted as representing the relative quantity of labeled nucleotides excised by the 3'-5' exonuclease activity from the 3' terminus of the primer. A DNA polymerase that excised the radiolabeled nucleotides A\*s from complex (b) more efficiently than from complex (a) possessed proof-reading 3'-5' exonuclease activity. A DNA polymerase that excised the radiolabeled nucleotides A\*s from complex (a) faster than from complex (b), or at nearly the same rate, was

interpreted as possessing a non-specific 3'-5' exonuclease activity which is considered unsuitable for DNA sequencing.

Using these methods, a strain of bacteria was isolated from among the strains of *Bacillus stearothermophilus* from various sources which is distinguished in its fast growth rate. This strain reached an optimum exponential growth within 3 hours for DNA polymerase production. The strain was also able to produce a DNA polymerase with a proof-reading 3'-5' exonuclease activity. This strain of *Bacillus stearothermophilus* was labeled Bst No. 320.

As persons skilled in this art would appreciate, the bacterial strain, or even the strain of *Bacillus stearothermophilus*, from which a mesophilic DNA polymerase of the invention can be obtained may be derived using the above-described methods or others known in the art from strains of *Bacillus stearothermophilus* or other bacteria strains (especially mesophilic strains), including wild strains or mutant strains acquired by various means, including spontaneous mutation.

To prepare the preferred purified Bst DNA polymerase, the cells of Bst No. 320 were grown at 55°C in a liquid medium consisting of 1% polypeptone, 0.5% yeast extract and 0.5% NaCl, pH7.0-7.2. The 3 hr old cells were collected after centrifugation and suspended in 4 volumes of TME buffer (50mM Tris-HCl, pH7.5, 10mM  $\beta$ -mercaptoethanol, and 2 mM EDTA), containing 100 mg lysozyme and 23 mg phenylmethylsulphonyl-fluoride/ml. The cells were broken by sonication in ice. The supernatant was pooled after centrifugation at 28,000 rpm in a Spinco L 30 rotor.

The purified Bst DNA polymerase of the



invention was prepared according to Okazaki and Kornberg (7) with appropriate slight modifications and the large fragment of the DNA polymerase was obtained by partial digestion of the whole DNA polymerase with the proteinase subtilisin (type Carlsberg) basically according to Jacobsen et al. (8).

The procedure for purification of enzyme was followed as described in Ye and Hong (4).

This Bst DNA polymerase possessed a proof-reading 3'-5' exonuclease activity.

The Bst polymerase was tested for proof-reading and non-specific 3'-5' exonuclease activities as described above. The results showed that the polymerase excised the mismatched incorporated nucleotides from the 3' terminus of a double-stranded DNA at a high rate, reaching the plateau of hydrolysis in about 3 minutes, about 8 times more efficiently in the first 3 minutes of reaction than those correctly matched with the nucleotides of the template. This enzyme is referred to herein as HiFi Bst DNA polymerase, and is distinguishable from Bst DNA polymerases isolated from other strains of *Bacillus stearothermophilus*.

This procedure of using HiFi Bst as the DNA polymerase in the classic radiolabeling Sanger reaction for DNA sequencing and its autoradiograph are illustrated in Example 8. The data obtained by adapting this procedure to use HiFi Bst as the DNA polymerase in dye-labeled primer automated fluorescent DNA sequencing are illustrated in Example 9. These results indicate that HiFi Bst DNA polymerase can be used for the classic Sanger manual sequencing and the fluorescent dye-labeled primer sequencing with high processivity and high fidelity.

However, when the protocol was modified for fluorescent dye-labeled ddNTP terminator automated DNA sequencing, numerous "C" peaks and "A" peaks were missing or appeared ambiguous in the sequence plot, especially when the "C" peak was immediately after a "G" peak or after an "A" peak, and when the "A" peak was immediately after a "G" peak. This selective discrimination against incorporation of dye-labeled ddCTP and dye-labeled ddATP is sequence-related since many "C" and "A" peaks following an immediate "C" peak or an immediate "T" peak remained strong and correctly resolved in the same color plot of sequence analysis. (See Example 9) This phenomenon of selective discrimination against incorporation of fluorescent dye-labeled ddCTP and dye-labeled ddATP is observed with all DNA polymerases isolated from different strains of *Bacillus stearothermophilus* and *Bacillus caldotenax*, and appears to be characteristic of DNA polymerases of the mesophilic bacilli.

Example 2: Mutation of the gene for naturally-occurring Bst DNA polymerase having proofreading 3'-5' exonuclease activity

The DNA fragment LF containing the gene initially isolated from the wild Bst 320 has the following sequence (see SEQ ID NO:1):

DNA sequence (isolated/purified):

GCCGAAGGGG	AGAAACCGCT	TGAGGAGATG	GAGTTTGCCA
TCGTTGACGT	CATTACCGAA	GAGATGCTTG	CCGACAAGGC
AGCGCTTGTC	GTTGAGGTGA	TGGAAGAAAA	CTACCACGAT
GCCCCGATTG	TCGGAATCGC	ACTAGTGAAC	GAGCATGGGC
GATTTTTTAT	GCGCCCGGAG	ACCGCGCTGG	CTGATTCGCA
ATTTTGTAGCA	TGGCTTGCCG	ATGAAACGAA	GAAAAAAAGC

	ATGTTTGACG	CCAAGCGGGC	AGTCGTTGCC	TTAAAGTGGA
	AAGGAATTGA	GCTTCGCGGC	GTGCGCTTTG	ATTTATTGCT
	CGCTGCCTAT	TTGCTCAATC	CGGCTCAAGA	TGCCGGCGAT
	ATCGCTGCGG	TGGCGAAAAT	GAAACAATAT	GAAGCGGTGC
5	GGTCGGATGA	AGCGGTCTAT	GGCAAAGGCG	TCAAGCGGTC
	GCTGCCGGAC	GAACAGACGC	TTGCTGAGCA	TCTCGTTTCG
	AAAGCGGCAG	CCATTTGGGC	GCTTGAGCAG	CCGTTTATGG
	ACGATTTGCG	GAACAACGAA	CAAGATCAAT	TATTAACGAA
	GCTTGAGCAC	GCGCTGGCGG	CGATTTTGGC	TGAAATGGAA
10	TTCACTGGGG	TGAACGTGGA	TACAAAGCGG	CTTGAACAGA
	TGGGTTCGGA	GCTCGCCGAA	CAACTGCGTG	CCATCGAGCA
	GCGCATTTAC	GAGCTAGCCG	GCCAAGAGTT	CAACATTAAC
	TCACCAAAAC	AGCTCGGAGT	CATTTTATTT	GAAAAGCTGC
	AGCTACCGGT	GCTGAAGAAG	ACGAAAACAG	GCTATTCGAC
15	TTCGGCTGAT	GTGCTTGAGA	AGCTTGCGCC	GCATCATGAA
	ATCGTCGAAA	ACATTTTGCA	TTACCGCCAG	CTTGGCAAAC
	TGCAATCAAC	GTATATTGAA	GGATTGTTGA	AAGTTGTGCG
	CCCTGATACC	GGCAAAGTGC	ATACGATGTT	CAACCAAGCG
	CTGACGCAAA	CTGGGCGGCT	CAGCTCGGCC	GAGCCGAACT
20	TGCAAAACAT	TCCGATTCGG	CTCGAAGAGG	GGCGGAAAAT
	CCGCCAAGCG	TTCGTCCCGT	CAGAGCCGGA	CTGGCTCATT
	TTCGCCGCCG	ATTACTCACA	AATTGAATTG	CGCGTCCTCG
	CCCATATCGC	CGATGACGAC	AATCTAATTG	AAGCGTTCCA
	ACGCGATTTG	GATATTCACA	CAAAAACGGC	GATGGACATT
25	TTCCAGTTGA	GCGAAGAGGA	AGTCACGGCC	AACATGCGCC
	GCCAGGCAAA	GGCCGTTAAC	TTCGGTATCG	TTTACGGAAT
	TAGCGATTAC	GGATTGGCGC	AAAACCTGAA	CATTACGCGC
	AAAGAAGCTG	CCGAATTTAT	CGAACGTTAC	TTCGCCAGCT
	TTCCGGGCGT	AAAGCAGTAT	ATGGAAAACA	TAGTGCAAGA
30	AGCGAAACAG	AAAGGATATG	TGACAACGCT	GTTGCATCGG
	CGCCGCTATT	TGCCTGATAT	TACAAGCCGC	AATTTCAACG
	TCCGCAGTTT	TGCAGAGCGG	ACGGCCATGA	ACACGCCAAT
	TCAAGGAAGC	GCCGCTGACA	TTATTAAAAA	AGCGATGATT
	GATTTAGCGG	CACGGCTGAA	AGAAGAGCAG	CTTCAGGCTC
35	GTCTTTTGCT	GCAAGTGCAT	GACGAGCTCA	TTTTGGAAGC
	GCCAAAAGAG	GAAATTGAGC	GATTATGTGA	GCTTGTTCCG
	GAAGTGATGG	AGCAGGCCGT	TACGCTCCGC	GTGCCGCTGA

AAGTCGACTA CCATTACGGC CCAACATGGT ATGATGCCAA  
ATAA (1764 nucleotides total)

Site directed mutagenesis was performed as described by Kunkel et al. (14) The DNA fragment (designated "LF") containing the gene for Bst DNA polymerase having proofreading exonuclease activity was cloned from the expression vector pYZ23/LF into plasmid pUC119. The constructed plasmid pUC119/LF was then transformed into E. coli CJ236, a mutant of E. coli that lacks the enzymes dUTPase and uracil N-glycosylase. Therefore, when grown in a medium supplemented with uridine, this mutant of E. coli as well as the plasmids in the cells will incorporate deoxyuridine into the DNA in place of thymidine and the uracils will not be removed readily.

As the constructed plasmid grew in the cells of E. coli CJ236 and in the presence of uracil and M13KO7 helper phage, the normal thymidine bases of the DNA in the newly produced single-stranded pUC119/LF were replaced by uracils. These uracil-containing DNAs were used as the template in vitro for the production of a complementary oligonucleotide that contained the desired DNA sequence alteration, but with only TMPs and not dUMP residues.

In practice, the expression vector pYZ23/LF was digested with restriction enzymes Eco RI and Bam HI, and the DNA fragment LF was separated and cloned into plasmid pUC119 which had been previously digested with the same restriction enzymes. The constructed plasmid pUC119/LF was then transformed into E. coli CJ236. For gaining the uracil-containing single-stranded pUC119/LF, a colony of E. coli CJ236 containing pUC119/LF was selected and inoculated into 2 ml of 2 x YT medium

which was supplemented with 0.25 ug/ml of uridine  
and  $2 \times 10^8$  to  $4 \times 10^8$  pfu/ml of M13K07 as helper  
phage. After incubation at 37°C with strong  
agitation for 1 hour, a kanamycin solution (25  
5 mg/ml in H<sub>2</sub>O) was added to the culture to a final  
concentration of 70 ug/ml. The incubation was  
allowed to continue for another 14-18 hours at  
37°C with strong agitation. Then 1.5 ml of the  
infected culture was transferred to a  
10 microcentrifuge tube, and centrifuged at 12,000 x  
g for 5 minutes at 4°C. The uracil-containing  
single-stranded pUC119/LF was precipitated and  
purified from the supernatant according to  
standard PEG/NaCl and ethanol procedures.

15 After performing a series of  
experiments, the inventors found that the combined  
effects of changing the amino acids leucine-  
glutamate-glutamate (LEE) at the location 342-344,  
to respectively threonine-proline-leucine (TPL),  
20 and the amino acid phenylalanine (F) at location  
422, to tyrosine (Y) in the peptide structure of  
HiFi Bst DNA polymerase markedly reduced its  
selective discrimination against incorporation of  
fluorescent dye-labeled ddCTP and dye-labeled  
25 ddATP to such a level that direct automated  
fluorescent DNA sequence (although not cycle-  
sequencing) can be performed with the dye-  
terminator technology when the mutated enzyme of  
the current invention is used. It is of interest  
30 to note that this modified HiFi Bst, now referred  
to as HiFi Bst-II DNA polymerase, exhibits the  
function of preferentially incorporating more  
fluorescent dye-labeled ddCTP and dye-labeled  
ddATP onto the 3' end dGMP and the dAMP bases of  
35 the extending DNA strands during enzymatic  
reaction, than the unmodified naturally occurring  
HiFi Bst polymerase.

The end result is the recovery of the "C" and "A" peaks which otherwise would have been missing or ambiguous on the sequence analysis color plot. At the same time, the modified enzyme did not indiscriminately generate an excess amount of dye-labeled "G" terminated or dye-labeled "T" terminated DNA fragments. Even the "C" and "A" peaks were not uniformly raised in a blanket manner, but only raised in the formerly depressed locations after a "G" and/or an "A". (See Example 9). Thus, this genetic modification of the HiFi Bst to HiFi Bst-II results in a DNA polymerase that reduces the selective discrimination against incorporation of the fluorescent dye-labeled ddCTP and dye-labeled ddATP, rather than merely increases the ability of the parent enzyme to incorporate these dye-labeled dideoxynucleotides.

HiFi Bst-II, and the other novel similar DNA polymerases of this invention, can be used for the classic radiolabeling Sanger method. (See Example 8.) HiFi Bst-II appears to generate a better sequencing pattern than HiFi Bst and requires less ddNTPs to terminate the extending reaction (Figure 3). For instance, in the optimized reaction mixture for the unmodified HiFi Bst DNA polymerase, the ddNTP/dNTP ratios in the A, C, G and T mix were 40, 6.25, 18.25 and 18.72, respectively. In the optimized reaction mixture for the modified HiFi Bst-II DNA polymerase, the corresponding ddNTP/dNTP ratios in the A, C, G and T mix were 40, 2.5, 6.25 and 6.25, respectively. Therefore, there was an up-to about three-fold reduction in the amount of ddNTPs used after genetic modification of the naturally-occurring DNA polymerase.

For the radiolabeling classic Sanger method of DNA sequencing, the optimized reaction

mixtures for either HiFi Bst or HiFi Bst-II must contain much more ddNTPs than dNTPs to generate a ladder of DNA fragments for sequencing analysis because the DNA polymerases of the mesophilic bacilli tend to incorporate dNTPs more efficiently than ddNTPs. The above-described genetic modification appears to increase the ability of the naturally-occurring enzymes to incorporate ddNTP in the presence of a corresponding competing dNTP to about three-fold at the concentration ratios commonly used for DNA sequencing. However, if much higher concentrations of the nucleotides were used for the experiment, and the ddNTP/dNTP ratio was reduced to a level that is suboptimal for DNA sequencing (for instance at a ratio of 1/3), the increased ability for incorporating ddNTPs after modification of the enzyme could be dramatized. (See Example 6, Figure 2).

Similar to the results obtained with radiolabeling Sanger method, both HiFi Bst and HiFi Bst-II can be adapted for fluorescent dye-labeled primer automated DNA sequencing and produce comparable results without selective suppression of any specific fluorescent peaks in the sequencing plot (see Example 9) although the peaks generated by HiFi Bst-II appear to be more even than those by HiFi Bst.

To change amino acids leucine, glutamic acid and glutamic acid (LEE) at positions 342-344, respectively in the Bst polymerase into threonine, proline and leucine (TPL), respectively, Primer 1 was designed as following (see SEQ ID NO 10):

5'-CATTCCGATTCGGACCCCACTGGGGCGGAAAATCCG-3'

To change amino acid phenylalanine (F) at position 422 in the Bst DNA polymerase into tyrosine (Y), Primer 2 was designed as following (see SEQ ID NO: 9):

5'-GCCGTAACTACGGTATCGTTTACGG-3'

After phosphorylation of the 5' ends of the oligonucleotides by T4 polynucleotide kinase, the two primers designed above were annealed to the single-stranded uracil-containing pUC119/LF purified from above. In the presence of the usual dNTPs (dATP, dCTP, dGTP and dTTP), T4 DNA polymerase was used to synthesize in vitro the strands of DNA complementary to the uracil-containing pUC119/LF template, and T4 ligase was used to ligate the synthesized strands to form a complete double-stranded plasmid which was composed of one single-stranded, not mutagenic, uracil-containing pUC119/LF and one complementary single-stranded, mutagenic, thymidine-containing DNA fragment that had been altered by primer 1 and primer 2 described above. These newly formed double-stranded plasmids were then transformed into E. coli JM109. The template strand was rendered biologically inactive. The transformed strain of E. coli JM109 whose plasmids contained the mutated DNA, now referred to as pUC119/LF-M, was screened out with DNA sequencing of its plasmids.

Example 3: Cloning and expression of the modified Bst DNA polymerase having both ability to reduce selective ddNTP discrimination and proofreading 3'-5' exonuclease activity

The plasmid pUC119/LF-M was prepared from the strain of Escherichia coli JM109 containing the mutated DNA. The mutated DNA fragment (LF-M) containing the mutated gene for the Bst polymerase was recombined back into the expression vector pYZ23. The constructed plasmid pYZ23/LF-M was then transformed into Escherichia



coli JF1125. The mutation was further confirmed by double-stranded dideoxy DNA sequencing of isolated plasmid.

The strain of Escherichia coli JF1125 containing pYZ23/LF-M was inoculated into LB culture containing 100µg/ml ampicillin, and was incubated overnight at 30°C. The overnight culture was inoculated into a large volume of fresh culture, and was incubated at 30°C until the OD<sub>600</sub> of the culture reached 0.7. The culture was then heated at 41°C for 3 hours for induction. The SDS-PAGE analysis of the cell extract showed that the cloned mutated gene for the modified Bst DNA polymerase was overexpressed.

Example 4: Isolation and purification of the modified Bst DNA polymerase having both ability to reduce selective ddNTP discrimination and proofreading 3'-5' exonuclease activity

The expressed cells of Escherichia coli JF1125 containing pYZ23/LF-M grown in condition as described above were thawed and washed with buffer [10mM Tris-HCl (pH7.5 at room temperature), 10mM β-Mercaptoethanol, 2 mM EDTA, 0.9% NaCl]. The pellets were then suspended in buffer [50mM Tris-HCl (pH7.5 at room temperature), 10mM β-Mercaptoethanol, 2mM EDTA, 100µg/ml Lysozyme, 23µg/ml PMSF] (4ml/g pellet). After 20 min at room temperature, the mixture was cooled on salt-ice and sonicated briefly to complete lysis. The cell extract obtained by centrifugation at 18,000rpm at 4°C for 20 minutes, was then treated step by step as follows:

(A) The cell extract was heated at 60°C for 30 minutes, and cooled to 4°C, then centrifuged at 15,000rpm at 4°C for 20 minutes;

(B) 5% Polymin P was added into supernatant to 0.6%, and mixed quickly for 30 minutes, then centrifuged;

5 (C) The pellet was resuspended in Buffer A[50mM Tris-HCl(pH7.5 at room temperature), 1mM EDTA, 1mM  $\beta$ -Mercaptoethanol] containing 800mM NaCl and 5% Glycerol at 4°C, and then centrifuged;

10 (D) Ammonium sulfate was added into the supernatant to 60% saturation at 4°C, and mixed for 30 minutes, then centrifuged;

(E) The ammonium sulfate pellet was resuspended in 30ml of 60% saturated ammonium sulfate at 4°C, and then recentrifuged;

15 (F) The pellet was suspended in Buffer A containing 100mM KCl and dialysed against the same buffer for hours at 4°C, then centrifuged. The insoluble protein was discard;

20 (G) The supernatant was added to pass through a DE-52 column. The column was washed, and the peak DNA polymerase was eluted using a 100-600 mM KCl linear gradient in Buffer A, concentrated in Buffer A containing 50%(w/v) PEG-6000, dialyzed in Buffer A containing 100 mM KCl ;

25 (H) The solution was then applied to Heparin-Sepharose CL-4B column. The peak DNA polymerase was eluted with a linear gradient of 100-800 mM KCl in Buffer A, concentrated and finally dialyzed in buffer A containg 50% glycerol.

30 The resulting modified Bst DNA polymerase has been proved to be homogenous by polyacrylamide gel electrophoresis. And the enzyme obtained was stored in -20°C.

Example 5: Determination of the thermostability of unmodified Bst DNA polymerase and modified Bst DNA polymerase

5           The DNA polymerases of Examples 1 and 5 were incubated at 65°C for 0, 5, 10, 20, 30, 40, 50 minutes respectively, and placed into ice-water immediately. The polymerase activity of these DNA polymerases was determined at 60°C.

10           The polymerase activity of DNA polymerase was determined as follows:

5 x Reaction Solution:

1M Tris-HCl (pH7.6)	16.75 ml
1M MgCl <sub>2</sub>	1.675 ml
1M β-Mercaptoethanol	0.25 ml
15   ddH <sub>2</sub> O	adjusted to 50 ml

Reaction Storage:

5 x Reaction Solution	60μl
dNTPs (1mM each)	10μl
1.5μg/μl DNase I activated	
20   calf thymus DNA	10μl
ddH <sub>2</sub> O	10μl
α- <sup>32</sup> P-dATP	appropriate amt.

Reaction Mixture:

Reaction Storage	30μl
25   Sample	5μl
ddH <sub>2</sub> O	65μl

30           The reaction mixtures were prepared as per the recipe above, and incubated at 60°C for 30 minutes. Then the reaction mixtures were pipetted onto DE-81 filters respectively. After all of the fluid has evaporated, the amount of radioactivity on each filter was measured with scintillation

(X<sub>1</sub>). The filters were washed three times with 0.3M Na<sub>2</sub>HPO<sub>4</sub> at room temperature, 10 minutes each times, dried at room temperature and then the amount of radioactivity on each filter was measured again (X<sub>2</sub>).

The polymerase activity of sample (u/ml) =

$$\frac{X_2}{X_1} - \frac{X_{20}}{X_{10}} \times 266$$

(X<sub>10</sub> and X<sub>20</sub> are the amount of radioactivity measured with water as control sample)

Unit definition of polymerase activity:  
One unit is the amount of DNA polymerase required to incorporate 10 nanomoles of dNTPs into DNA in 30 minutes at 60°C .

The thermostability of DNA polymerase is expressed with the half life of polymerase activity at 65°C. Figure 1 shows the comparison of thermostabilty of HiFi Bst and HiFi Bst-II. The half life of HiFi Bst at 65°C was 8.5 minutes, and that of HiFi Bst-II was 16 minutes. HiFi Bst-II was more thermostable than HiFi Bst.

Example 6: Demonstration of increased ddNTP incorporation by modified Bst DNA polymerase in suboptimal sequencing conditions

The following procedure was followed:

1. The -20M13 forward primer was radiolabelled using γ-<sup>32</sup>P-ATP and T4 Polynucleotide kinase;

2. The following components were combined in a microcentrifuge tube:

5xReaction Buffer	2.0μl
radiolabeled primer	1.0μl (2.5ng)

Template                      7.0 $\mu$ l (1 $\mu$ g M13mp18 ssDNA)  
The final volume was 10 $\mu$ l. The contents were mixed  
and spun for 2-3 seconds;

5                      3. The tube were placed in a 75°C water bath  
for 5 minutes. Then the tube was allowed to cool  
slowly to ambient temperature over a course of 10  
minutes;

10                    4. 1.0 $\mu$ l of modified Bst DNA polymerase (of  
Example 5) (1u/ $\mu$ l) was added. The mixture was  
mixed gently and spun for 2-3 seconds;

15                    5. 4 tubes were labelled "A", "C", "G", "T",  
respectively and 2 $\mu$ l of each premixed nucleotide  
solution and 2.5 $\mu$ l of main mixture (from step 3)  
was added to the respective reaction  
tube;

6. The tubes were incubated at 65°C for 15  
minutes;

20                    7. The reactions were stopped by adding 4.0 $\mu$ l  
of Stop Solution(95% deionized formamide, 10mM  
EDTA, 0.05% xylene cyanol FF, 0.05% bromophenol  
blue) to each tube;

8. The samples were denatured at 90°C for 2  
minutes, and immediately placed on ice;

25                    9. 4-5 $\mu$ l of samples were loaded onto each  
lane of 6% (8M urea) sequencing gel, and  
electrophoresis was carried out.

Note: The Components of the Premixed Nucleotide  
Solutions:

A mix: dNTPs 120 $\mu$ M, ddATP 40 $\mu$ M

C mix: dNTPs 120 $\mu$ M, ddCTP 40 $\mu$ M

G mix: dNTPs 120 $\mu$ M, ddGTP 40 $\mu$ M

T mix: dNTPs 120 $\mu$ M, ddTTP 40 $\mu$ M

5 Figure 2 shows the comparison of ddNTP  
incorporation of HiFi Bst-II DNA polymerase and  
HiFi Bst DNA polymerase. In this radiolabeling  
DNA sequencing experiment, high concentrations of  
nucleotides were used in the reaction mixture and  
the ddNTP/dNTP ratio was reduced to a level (1/3)  
10 that is lower than the optimal range for DNA  
sequencing. HiFi Bst-II is shown to have more  
effective ddNTP incorporation. The DNA synthesis  
was often terminated by ddNTP incorporation in the  
HiFi Bst-II mixture, and the result showed uniform  
15 bands with synthesized small or large DNA  
fragments. As a contrast, HiFi Bst had a lower  
ddNTP incorporation. The DNA synthesis by HiFi Bst  
was less terminated, and most of the synthesized  
products were the larger DNA fragments.

20 Example 7: Preparation of Denatured Double-  
stranded DNA Template:

The following procedure was carried out.

1. Double-stranded DNA (about 3-5 $\mu$ g) was  
adjusted to a final volume of 10 $\mu$ l with TE (10mM  
25 Tris-HCl, 1mM EDTA, pH8.0);

2. 10 $\mu$ l of 0.4N NaOH, 0.4mM EDTA, was added;

3. The mixture was incubated at 65°C for 15  
minutes;

4. 2 $\mu$ l of 2M sodium acetate, pH4.5, and 55 $\mu$ l  
30 cold ethanol was added, and the mixture was placed

in ice-water bath for 5 minutes;

5. The mixture was spun in a microcentrifuge at 4°C, 12500rpm for 5 minutes;

6. The supernatant was drawn off and the pellet was washed with 200 $\mu$ l of 70% ethanol;

7. The pellet was dried under vacuum for 2-3 minutes, and the DNA was dissolved in appropriate solution.

Example 8: DNA sequencing using unmodified Bst DNA polymerase/modified Bst DNA polymerase with radiolabeled dATP for single- or denatured double-stranded DNA template

The following procedure was carried out.

1. The following components were combined in a labeled microcentrifuge tube:

5xReaction Buffer	2.0 $\mu$ l
Primer	1.0 $\mu$ l (2.5-5.0ng)
Template	7.0 $\mu$ l (250-500ng ss DNA or 1-3 $\mu$ g denatured ds DNA)

The final volume was 10 $\mu$ l. The contents were mixed and spun for 2-3 seconds;

2. The tube were placed in a 75°C water bath for 5 minutes. Then the tubes were allowed to cool slowly to ambient temperature over a course of 10 minutes;

(Note: Step 2 is optional for single-stranded template, and may be omitted at appropriate.)

3. 1.0 $\mu$ l of HiFi Bst/HiFi Bst-II (1u/ $\mu$ l) and 1.0 $\mu$ l of [ $\alpha$ -32P]dATP was added, and the mixture was mixed gently and spun for 2-3 seconds;

4. 4 tubes "A", "C", "G", "T" were labelled, and 2 $\mu$ l of each premixed nucleotide solution and 2.5 $\mu$ l of main mixture (from step 3) was added to the respective reaction tube;

5            5. The tubes were incubated at 65°C for 2 minutes;

6. 2.0 $\mu$ l of 0.5mM dNTPs was added to each tube, and the tubes were mixed gently, spun for 2-3 seconds, and incubated at 65°C for 2 minutes;

10           7. The reactions were stopped by adding 4.0 $\mu$ l of Stop Solution(95% deionized formamide, 10mM EDTA, 0.05% xylene cyanol FF, 0.05% bromophenol blue) to each tube;

15           8. The samples were denatured at 90°C for 2 minutes, and immediately placed on ice;

9. 2-3 $\mu$ l of the samples were loaded onto each lane of 6% (8M urea) sequencing gel, and electrophoresis was carried out.

20           Note: The Components of the Premixed Nucleotide Solutions for HiFi Bst:

A mix: dATP 0.62 $\mu$ M, dCTP 62 $\mu$ M, dGTP 62 $\mu$ M, dTTP 62 $\mu$ M, ddATP 25 $\mu$ M;

C mix: dATP 0.8 $\mu$ M, dCTP 8 $\mu$ M, dGTP 80 $\mu$ M, dTTP 80 $\mu$ M, ddCTP 50 $\mu$ M;

25           G mix: dATP 0.8 $\mu$ M, dCTP 80 $\mu$ M, dGTP 4 $\mu$ M, dTTP 80 $\mu$ M, ddGTP 75 $\mu$ M;

T mix: dATP 0.8 $\mu$ M, dCTP 80 $\mu$ M, dGTP 80 $\mu$ M, dTTP 8 $\mu$ M, ddTTP 150 $\mu$ M.

30           The Components of the Premixed Nucleotide Solutions for HiFi Bst-II:



A mix: dATP 0.8 $\mu$ M, dCTP 80 $\mu$ M, dGTP 80 $\mu$ M, dTTP 80 $\mu$ M, ddATP 25 $\mu$ M;

C mix: dATP 0.8 $\mu$ M, dCTP 8 $\mu$ M, dGTP 80 $\mu$ M, dTTP 80 $\mu$ M, ddCTP 20 $\mu$ M;

5 G mix: dATP 0.8 $\mu$ M, dCTP 80 $\mu$ M, dGTP 8 $\mu$ M, dTTP 80 $\mu$ M, ddGTP 50 $\mu$ M;

T mix: dATP 0.8 $\mu$ M, dCTP 80 $\mu$ M, dGTP 80 $\mu$ M, dTTP 8 $\mu$ M, ddTTP 50 $\mu$ M.

10 Figure 3 shows the comparison of radiolabeled DNA sequencing with HiFi Bst and HiFi Bst-II in their respective optimized reaction mixtures. The bands on a DNA sequencing gel with HiFi Bst-II were more uniform than those with HiFi Bst. The sequence pattern using HiFi Bst-II was  
15 better than that using HiFi Bst. This made the gel with HiFi Bst-II even easier to read. Moreover, the ratio of dideoxy-nucleotide concentration to deoxy-nucleotide concentration in Premixed Nucleotide Solutions for HiFi Bst-II was lower  
20 than that for HiFi Bst. For instance, the ddATP/dATP, ddCTP/dCTP, ddGTP/dGTP and ddTTP/dTTP ratios were 40, 6.25, 18.75 and 18.75, respectively, for HiFi Bst. The corresponding ratios for HiFi Bst-II were 40, 2.5, 6.25 and  
25 6.25, respectively. Therefore, the concentrations of ddNTPs used in the termination reaction are reduced to about three-folds after HiFi Bst has been genetically modified.

30 Example 9: DNA sequencing using unmodified Bst DNA polymerase/modified Bst DNA polymerase with dye-primers for single- or denatured double-stranded DNA template

The following procedure was carried out.

1. The following was combined: 4.0 $\mu$ l DNA

template (300-600ng for ssDNA or 1-2 $\mu$ g denatured ds DNA) with 5.0 $\mu$ l 5xReaction Buffer. The mixture was mixed and spun for 2-3 seconds in a microcentrifuge;

5           2. 4 tubes were labeled "A", "C", "G", "T" and the pre-mixed dATP, dCTP, dGTP, dTTP reagents were added to each reaction tube:

		Reaction tube			
		A	C	G	T
10	A-REG primer (0.2uM)	1.0ul			
	C-FAM primer (0.2uM)		1.0ul		
	G-TMR primer (0.4uM)			1.0ul	
	T-ROX primer (0.4uM)				1.0ul
	A terminator mix	2.0ul			
15	C terminator mix		2.0ul		
	G terminator mix			2.0ul	
	T terminator mix				2.0ul
	5 x Reaction buffer				
	with DNA template	2.0ul	2.0ul	2.0ul	2.0ul
20	-----				
	Total volume	5.0ul	5.0ul	5.0ul	5.0ul

3. The tubes were placed in 75°C bath for 5 minutes, and allowed to cool slowly to ambient temperature over the course of 10 minutes;  
 25 (Note: Step 3 is optional for single-stranded template, and may be omitted as appropriate.)

4. 1 $\mu$ l of HiFi Bst/HiFi Bst-II (0.5u/ $\mu$ l) was added to each tube, and the tubes were spun for 2-3 seconds;

30           5. The tubes were incubated at 65°C for 5 minutes;

6. The contents of the "A", "C", "G" and "T"

tubes were pooled, and 1.5 $\mu$ l of 7.5M ammonium acetate and 55 $\mu$ l of ethanol was added. The mixture was mixed in a vortex and then placed on ice for 20 minutes;

5           7. The mixture was centrifuged at 12,500rpm for 20 minutes at 4°C;

8. The supernatant was drawn off, and the pellet was washed with 200 $\mu$ l of 70% ethanol;

10           9. The pellet was vacuum dried for 2-3 minutes, and resuspended in 4 $\mu$ l of loading buffer (5:1 deionized formamide : 25mM EDTA with 50mg/ml Blue Dextran);

10. The sample was heated at 75°C for 2-3 minutes, and immediately placed on ice;

15           11. 2-3  $\mu$ l of sample was loaded onto a lane of the 4% (6M urea) sequencing gel, and ABI PRISM™ 377 DNA Sequencer (from Perkin Elmer) was used to collect data.

Note: Dye primer: DYEnamic Energy Transfer Dye  
20           Primers (from Amersham):

-21 M13 forward: 5'-FAM-S<sup>T</sup>SSSSSTGT\*AAAACGACGGCCAGT-  
3' (SEQ ID NO:11)

TS=1'2'-dideoxyribose

25           T\*=T attached with Dye 2 (A-REG, C-FAM, G-TMR, T-ROX)

30           Figure 4 and Figure 5 show the results of dye-primer DNA sequencing with HiFi Bst and HiFi Bst-II. Both DNA polymerases generated similar sequencing results although the peaks on the color plot by HiFi Bst II appear to be more even in height.

Example 10: DNA sequencing using unmodified Bst  
DNA polymerase/modified Bst DNA polymerase with  
dye-terminators for single- or denatured double-  
stranded DNA template

5                   The following procedure was carried out.

1. The following components were combined in  
a labeled microcentrifuge tube:

                  5xReaction Buffer     4.0 $\mu$ l  
                  Template               8.0 $\mu$ l (2-3 $\mu$ g ss DNA  
10                                       or 4-6 $\mu$ g denatured  
                  ds DNA)  
                  Primer                 2.0 $\mu$ l (5-10ng)

                  The final volume was 14 $\mu$ l. The contents were  
mixed and spun for 2-3 seconds;

15                2. The tube was placed in a 75°C water bath  
for 5 minutes;

                  3. The tube was allowed to cool slowly to  
ambient temperature over a course of 10 minutes;  
(Note: Steps 2 and 3 are optional for single-  
20                stranded template, and may be omitted as  
appropriate.)

                  4. 1.0 $\mu$ l of HiFi Bst/HiFi Bst-II (1-2u/ $\mu$ l),  
5 $\mu$ l of nucleotides premix (containing Perkin  
Elmer-ABI fluorescent dye-labeled nucleotide  
25                terminators), were added and the tube was spun for  
2-3 seconds;

                  5. The mixture was incubated at 65°C for 10  
minutes;

                  6. 80 $\mu$ l of H<sub>2</sub>O was added to the reaction mix,  
30                and the dye terminators were extracted with 100 $\mu$ l  
of phenol:H<sub>2</sub>O:chloroform (68:18:14) reagent twice.

The sample was vortexed and centrifuged, and the aqueous upper layer was transferred to a clean tube;

5           7. To the tube was added 15 $\mu$ l of 2M sodium acetate, pH 4.5, and 300 $\mu$ l of ethanol, and the tube was vortexed and placed in ice-water bath for 20 minutes;

8. The tube was centrifuged with 12,500rpm for 20 minutes at 4°C;

10           9. The supernatant was drawn off, and the pellet was washed with 200 $\mu$ l of 70% ethanol;

15           10. The pellet was vacuum dried for 2-3 minutes, and resuspended in 4 $\mu$ l of loading buffer (5:1 deionized formamide : 25mM EDTA with 50mg/ml Blue Dextran);

11. The sample was heated at 90°C for 2-3 minutes, and immediately placed on ice;

20           12. 2-3 $\mu$ l of sample was loaded onto a lane of the 4% (6M urea) sequencing gel, and ABI PRISM™ 377 DNA Sequencer (from Perkin Elmer) was employed to collect data, using appropriate amounts of nucleotide pre-mixed reagents.

25           Figure 6 and Figure 7 show the results of dye-terminator DNA sequencing with HiFi Bst and HiFi Bst-II. There was data lost in dye-terminator DNA sequencing with HiFi Bst, especially the "C" after "G" or "A" and "A" after "G". In Figure 8, corrections of the missing or ambiguous bases, according to the known pGEM sequence, have been  
30           indicated below the letters "N" or below the

incorrect base letters. This problem caused ambiguity in DNA sequencing. But it was resolved in dye-terminator DNA sequencing with the modified Bst DNA polymerase of this invention.

5 REFERENCES

1. Sanger, F., Nicklen, S. & Coulson, A.R. Proc. Nat. Acad.Sci., USA 74: 5463-5467. 1977.
2. CURRENT PROTOCOLS IN MOLECULAR BIOLOGY, Ausubel, F.M. et. Al. (Editors) Vol. I., John Wiley & Sons, Inc. 1995. pp 7.4.17-7.4.24.
- 10 3. Ibid p. 7.4.31.
4. Ye, S.Y. & Hong, G.F., Scientia Sinica (Series B) 30: 503-506. 1987.
5. In Ref. 2, p. 7.4.18 Table 7.4.2.
- 15 6. EPICENTRE TECHNOLOGIES CATALOG,1994/95 Products for Molecular & Cellular Biology, Page 1, " What's new in this catalog?"
7. Okazaki, T. & Kornberg, A. J. Biol. Chem. 239: 259-268. 1964.
- 20 8. Jacobsen, H., Klenow, H. & Overgard-Hansen, K. Eur. J. Biochem. 45: 623-627. 1974.
9. McClary, J., Ye, s.Y., Hong, G.F. & Witney, F. DNA Sequence 1: 173-180. 1991.
10. Mead, D. A., McClary, J.A., Luckey, J.A., et
- 25 Al. BioTechniques 11: 76-87. 1991.
11. Earley, J.J., Kuivaniemi, H. Prockop, D.J. & Tromp, G. BioTechniques 17: 156-165,1994.
12. Mardis, E.R. & Bruce, A.R. BioTechniques 7: 840-850. 1989.
13. Chisoe, S.L. et al., Methods: A Companion to Methods in Enzymology, 3, 555-65, 1991
14. Kunkel, T.A. et al., Methods Enzymol. 154:367-382, 1987

All references mentioned herein are incorporated in their entirety by reference.

WHAT IS CLAIMED IS:

1. A modified DNA polymerase which during DNA sequencing effectively incorporates fluorescent dye-labeled dideoxynucleotide terminators ddCTP, ddATP, ddTTP and ddGTP, and their analogs, and reduces selective discrimination against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddCTP and ddATP,

wherein the DNA polymerase in its unmodified state selectively discriminates against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddCTP and ddATP but does not discriminate against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddTTP and ddGTP.

2. The DNA polymerase according to claim 1 which is a modified *Bacillus stearothermophilus* DNA polymerase.

3. The DNA polymerase according to claim 2 which has an amino acid sequence that shares not less than 95% homology of a DNA polymerase isolated from a strain of *Bacillus stearothermophilus*, *Bacillus caldotenax* or *Bacillus caldolyticus*.

4. The DNA polymerase according to claim 1 wherein the DNA polymerase is a modified DNA polymerase obtained from a mesophilic bacterium.

5. The DNA polymerase according to claim 1 which is a thermostable DNA polymerase having proofreading 3'-5' exonuclease activity during DNA sequencing of a DNA strand from a

template, such that the DNA polymerase functions to excise mismatched nucleotides from the 3' terminus of the DNA strand at a faster rate than the rate at which the DNA polymerase functions to remove nucleotides matched correctly with nucleotides of the template.

6. A modified *Bacillus*

*stearothermophilus* DNA polymerase which during DNA sequencing effectively incorporates fluorescent dye-labeled dideoxynucleotide terminators ddCTP, ddATP, ddTTP and ddGTP, and reduces selective discrimination against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddCTP and ddATP,

wherein the DNA polymerase in its unmodified state selectively discriminates against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddCTP and ddATP but does not discriminate against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddTTP and ddGTP,

wherein the DNA polymerase has proofreading 3'-5' exonuclease activity during DNA sequencing of a DNA strand from a template, such that the DNA polymerase functions to excise mismatched nucleotides from the 3' terminus of the DNA strand at a faster rate than the rate at which the DNA polymerase functions to remove nucleotides matched correctly with nucleotides of the template.

7. The DNA polymerase according to claim 6, which has the amino acid sequence SEQ ID NO:4.

8. The DNA polymerase according to claim 6, which is encoded by a DNA segment having



the nucleotide sequence of SEQ ID:NO 3.

9. A host cell which produces a modified DNA polymerase which during DNA sequencing effectively incorporates fluorescent dye-labeled dideoxynucleotide terminators ddCTP, ddATP, ddTTP and ddGTP, and reduces selective discrimination against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddCTP and ddATP,

wherein the DNA polymerase in its unmodified state selectively discriminates against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddCTP and ddATP but does not discriminate against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddTTP and ddGTP.

10. The host cell according to claim 9, wherein the modified DNA polymerase has proofreading 3'-5' exonuclease activity during DNA sequencing of a DNA strand from a template, such that the DNA polymerase functions to excise mismatched nucleotides from the 3' terminus of the DNA strand at a faster rate than the rate at which the DNA polymerase functions to remove nucleotides matched correctly with nucleotides of the template.

11. The host cell according to claim 9, which produces a DNA polymerase having the amino acid sequence SEQ ID NO:4.

12. The host cell according to claim 9, wherein the DNA polymerase is encoded by the nucleotide sequence SEQ ID NO:3.

13. The host cell of claim 9, which is E. coli.

14. A method of sequencing a DNA strand comprising the steps of:

i) hybridizing a primer to a DNA template to be sequenced;

ii) extending the primer using the modified DNA polymerase of claim 1, in the presence of adequate amounts of nucleotide bases dATP, dGTP, dCTP and dTTP, or their analogs, and fluorescent dye-labeled dideoxynucleotide terminators,

under such conditions that the DNA strand is sequenced.

15. The method according to claim 14, wherein the DNA polymerase is a modified *Bacillus stearothermophilus* DNA polymerase.

16. The method according to claim 14, wherein the modified DNA polymerase has an amino acid sequence that shares not less than 95% homology of a DNA polymerase isolated from a strain of *Bacillus stearothermophilus*, *Bacillus caldotenax* or *Bacillus caldolyticus*.

17. The method according to claim 14, wherein the modified DNA polymerase has the amino acid sequence SEQ ID NO:4.

18. The method according to claim 14, wherein the DNA polymerase is encoded by the nucleotide sequence SEQ ID NO:3.

19. The method according to claim 14, wherein the DNA polymerase is a modified DNA polymerase obtained from a mesophilic bacterium.

20. The method according to claim 14, wherein the DNA polymerase is a thermostable DNA polymerase having proofreading 3'-5' exonuclease activity during DNA sequencing of a DNA strand from a template, such that the DNA polymerase functions to excise mismatched nucleotides from the 3' terminus of the DNA strand at a faster rate than the rate at which the DNA polymerase functions to remove nucleotides matched correctly with nucleotides of the template.

21. The method according to claim 20, wherein the DNA polymerase is a modified *Bacillus stearothermophilus*, *Bacillus caldotenax* or *Bacillus caldolyticus* DNA polymerase.

22. The method according to claim 21, wherein the DNA polymerase has the amino acid sequence of SEQ ID NO:4.

23. The method according to claim 21, wherein the DNA polymerase is encoded by a DNA segment having the nucleotide sequence of SEQ ID:NO 3.

24. A method for producing a modified form of a DNA polymerase which during DNA sequencing selectively discriminates against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddCTP and ddATP but does not discriminate against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddTTP and ddGTP, comprising the step of

modifying a DNA polymerase which has an amino acid sequence that shares not less than 95% homology of a DNA polymerase isolated from a

strain of *Bacillus stearothermophilus*, *Bacillus caldotenax* or *Bacillus caldolyticus*, so that the modified DNA polymerase includes threonine, proline and leucine at positions 342-344, respectively, and tyrosine at position 422.

25. The method according to claim 24, wherein the DNA polymerase has proofreading 3'-5' exonuclease activity during DNA sequencing of a DNA strand from a template, such that the DNA polymerase functions to excise mismatched nucleotides from the 3' terminus of the DNA strand at a faster rate than the rate at which the DNA polymerase functions to remove nucleotides matched correctly with nucleotides of the template.

26. The method according to claim 24, wherein the DNA polymerase has the amino acid sequence of SEQ ID:NO 4.

27. The method according to claim 24, wherein the DNA polymerase is encoded by a DNA segment having the nucleotide sequence of SEQ ID:NO 3.

28. A method for producing a modified form of a DNA polymerase which during DNA sequencing selectively discriminates against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddCTP and ddATP but does not discriminate against incorporation of fluorescent dye-labeled dideoxynucleotide terminators ddTTP and ddGTP, comprising the step of

modifying a nucleotide sequence encoding a DNA polymerase which has an amino acid sequence that shares not less than 95% homology of a DNA

polymerase isolated from a strain of *Bacillus stearothermophilus* or *Bacillus caldotenax*, so that the modified nucleotide sequence encodes threonine, proline and leucine residues at positions 342-344, respectively, and a tyrosine residue at position 422.

29. A DNA construct comprising:

(i) a nucleotide sequence encoding a DNA polymerase which has an amino acid sequence that shares not less than 95% homology of a DNA polymerase isolated from a strain of *Bacillus stearothermophilus* or *Bacillus caldotenax*, which nucleotide sequence encodes threonine, proline and leucine residues at positions 342-344, respectively, and a tyrosine residue at position 422; and

(ii) a vector, for introducing the DNA construct into euaryotic or procaryotic host cells.

30. The DNA construct according to claim 29 wherein the vector is a cloning vector or an expression vector.

31. A kit for direct DNA sequencing comprising the modified DNA polymerase of claim 1 and at least one fluorescent dye-labeled ddNTP.

32. The kit according to claim 31 wherein the modified DNA polymerase is a modified *Bacillus stearothermophilus*, *Bacillus caldotenax* or *Bacillus caldolyticus* DNA polymerase.

33. The kit according to claim 31 wherein the modified DNA polymerase has an amino acid sequence that shares not less than 95%

homology of a DNA polymerase isolated from a strain of *Bacillus stearothermophilus*, *Bacillus caldodenax* or *Bacillus caldolyticus*.

34. The kit according to claim 31 wherein the modified DNA polymerase is modified DNA polymerase obtained from a mesophilic bacterium.

35. The kit according to claim 31 wherein the modified DNA polymerase has proofreading 3'-5' exonuclease activity during DNA sequencing of a DNA strand from a template, such that the DNA polymerase functions to excise mismatched nucleotides from the 3' terminus of the DNA strand at a faster rate than the rate at which the DNA polymerase functions to remove nucleotides matched correctly with nucleotides of the template.

36. The kit according to claim 31, wherein the modified DNA polymerase is modified *Bacillus stearothermophilus* DNA polymerase which has proofreading 3'-5' exonuclease activity during DNA sequencing of a DNA strand from a template, such that the DNA polymerase functions to excise mismatched nucleotides from the 3' terminus of the DNA strand at a faster rate than the rate at which the DNA polymerase functions to remove nucleotides matched correctly with nucleotides of the template.

37. The kit according to claim 31 wherein the modified DNA polymerase has the amino acid sequence SEQ ID NO:4.

38. The kit according to claim 31

wherein the modified DNA polymerase is encoded by a DNA segment having the nucleotide sequence of SEQ ID:NO 3.

39. A modified nucleotide sequence encoding a DNA polymerase which has an amino acid sequence that shares not less than 95% homology of a DNA polymerase isolated from a strain of *Bacillus stearothermophilus* or *Bacillus caldotenax*, which nucleotide sequence encodes threonine, proline and leucine residues at positions 342-344, respectively, and a tyrosine residue at position 422.

40. The modified nucleotide sequence according to claim 39 which has the nucleotide sequence of SEQ ID:NO 3.

41. A method of dye-labeled primer sequencing of a DNA strand comprising the steps of:

- i) hybridizing a fluorescent dye-labeled primer to a DNA template to be sequenced;
- ii) extending the primer using the modified DNA polymerase of claim 1, in the presence of adequate amounts of nucleotide bases dATP, dGTP, dCTP and dTTP, or their analogs, and dideoxynucleotide terminators, under such conditions that the DNA template is sequenced.

42. The method according to claim 41, wherein the DNA polymerase is a modified *Bacillus stearothermophilus* DNA polymerase.

43. The method according to claim 41, wherein the modified DNA polymerase has an amino

acid sequence that shares not less than 95% homology of a DNA polymerase isolated from a strain of *Bacillus stearothermophilus*, *Bacillus caldotenax* or *Bacillus caldolyticus*.

44. The method according to claim 41, wherein the modified DNA polymerase has the amino acid sequence SEQ ID NO:4.

45. The method according to claim 41, wherein the DNA polymerase is encoded by the nucleotide sequence SEQ ID NO:3.

46. The method according to claim 41, wherein the DNA polymerase is a modified DNA polymerase obtained from a mesophilic bacterium.

47. The method according to claim 41, wherein the DNA polymerase is a thermostable DNA polymerase having proofreading 3'-5' exonuclease activity during DNA sequencing of a DNA strand from a template, such that the DNA polymerase functions to excise mismatched nucleotides from the 3' terminus of the DNA strand at a faster rate than the rate at which the DNA polymerase functions to remove nucleotides matched correctly with nucleotides of the template.

48. The method according to claim 47, wherein the DNA polymerase is a modified *Bacillus stearothermophilus*, *Bacillus caldotenax* or *Bacillus caldolyticus* DNA polymerase.

49. A method of radioisotope-labeled sequencing of a DNA strand comprising the steps of:

- i) providing four separate tubes, each



containing DNA template to be sequenced, a primer, dATP, dTTP, dCTP and dGTP, wherein one of dATP, dTTP, dCTP or dGTP is labeled with a radioisotope, and DNA polymerase according to claim 1,

wherein each tube contains an appropriate amount of one of ddATP, ddTTP, ddCTP or ddGTP;

ii) allowing DNA sequencing of the DNA template to be carried out; and

iii) determining the sequence of the DNA template.

50. The method according to claim 49, wherein the DNA polymerase is a modified *Bacillus stearothermophilus* DNA polymerase.

51. The method according to claim 49, wherein the modified DNA polymerase has an amino acid sequence that shares not less than 95% homology of a DNA polymerase isolated from a strain of *Bacillus stearothermophilus*, *Bacillus caldotenax* or *Bacillus caldolyticus*.

52. The method according to claim 49, wherein the modified DNA polymerase has the amino acid sequence SEQ ID NO:4.

53. The method according to claim 49, wherein the DNA polymerase is encoded by the nucleotide sequence SEQ ID NO:3.

54. The method according to claim 49, wherein the DNA polymerase is a modified DNA polymerase obtained from a mesophilic bacterium.

55. The method according to claim 49, wherein the DNA polymerase is a thermostable DNA polymerase having proofreading 3'-5' exonuclease



## ABSTRACT OF THE DISCLOSURE

The invention relates to genetical modification of DNA polymerase to reduce its innate selective sequence-related discrimination against incorporation of fluorescent dye-labeled ddCTP and ddATP in the enzymatic reaction for preparation of samples for automated florescent dye-labeled terminator DNA sequencing. The modified DNA polymerases are more resistant to heat inactivation and are more effective in dideoxynucleotide incorporation than current DNA polymerases.

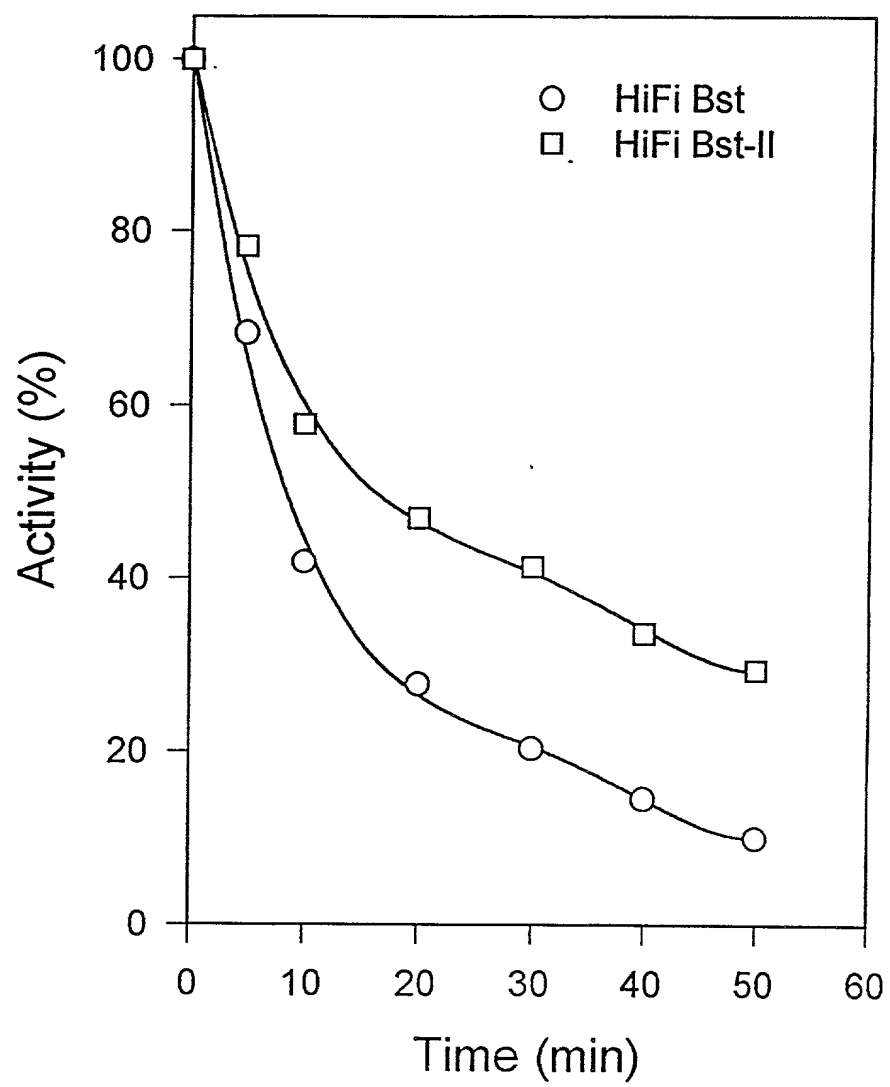


Figure 1

HiFi Bst-II    HiFi Bst  
TGCA    TGCA

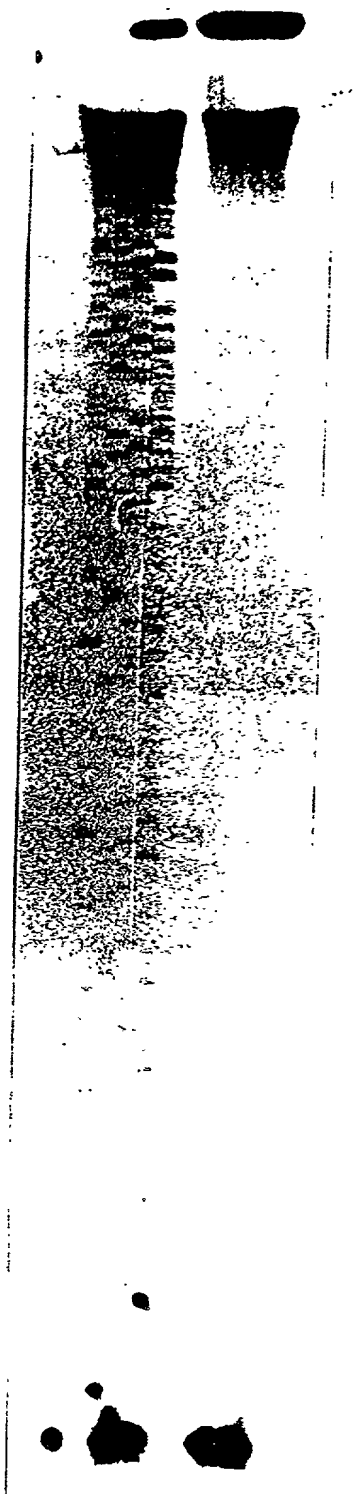


Figure 2

TGCA TGCA

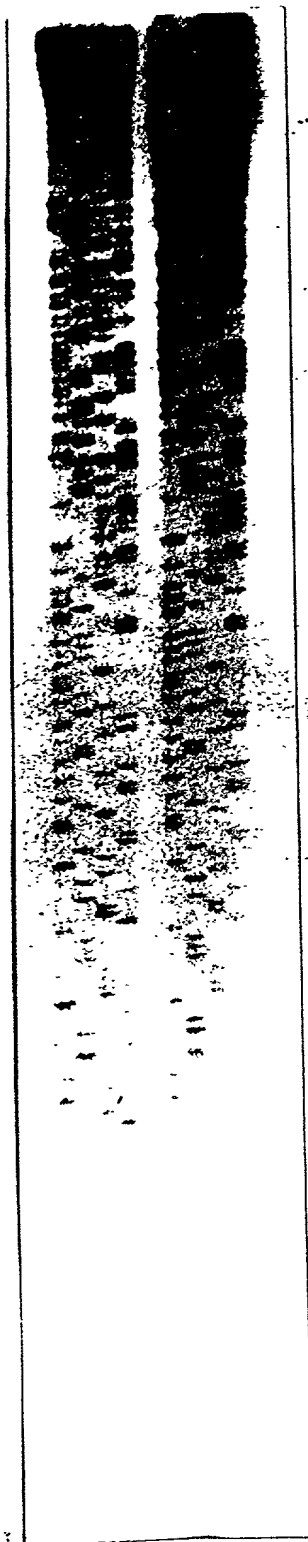


Figure 3

[illegible]

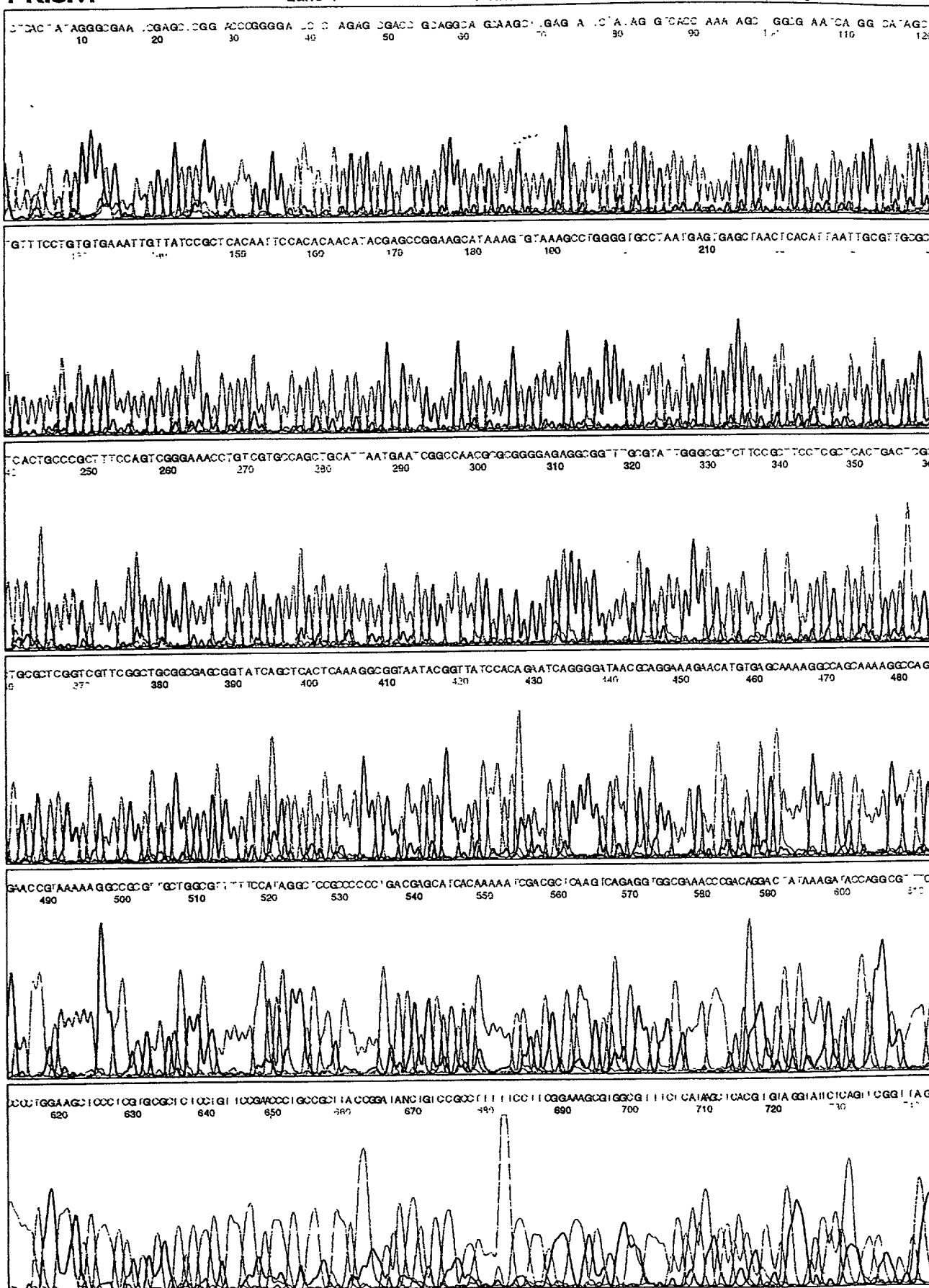


Figure 4

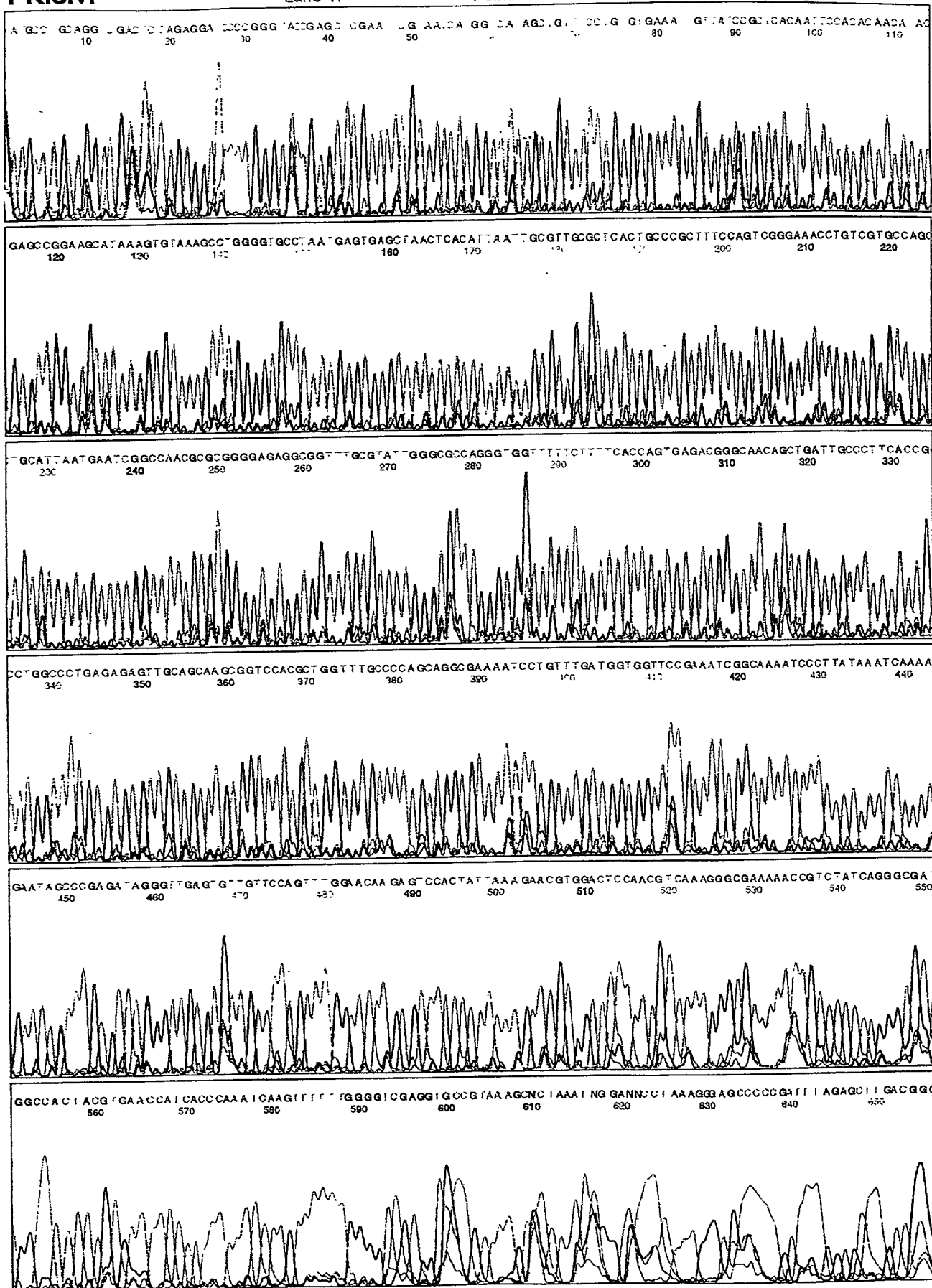
[illegible]

Figure 5



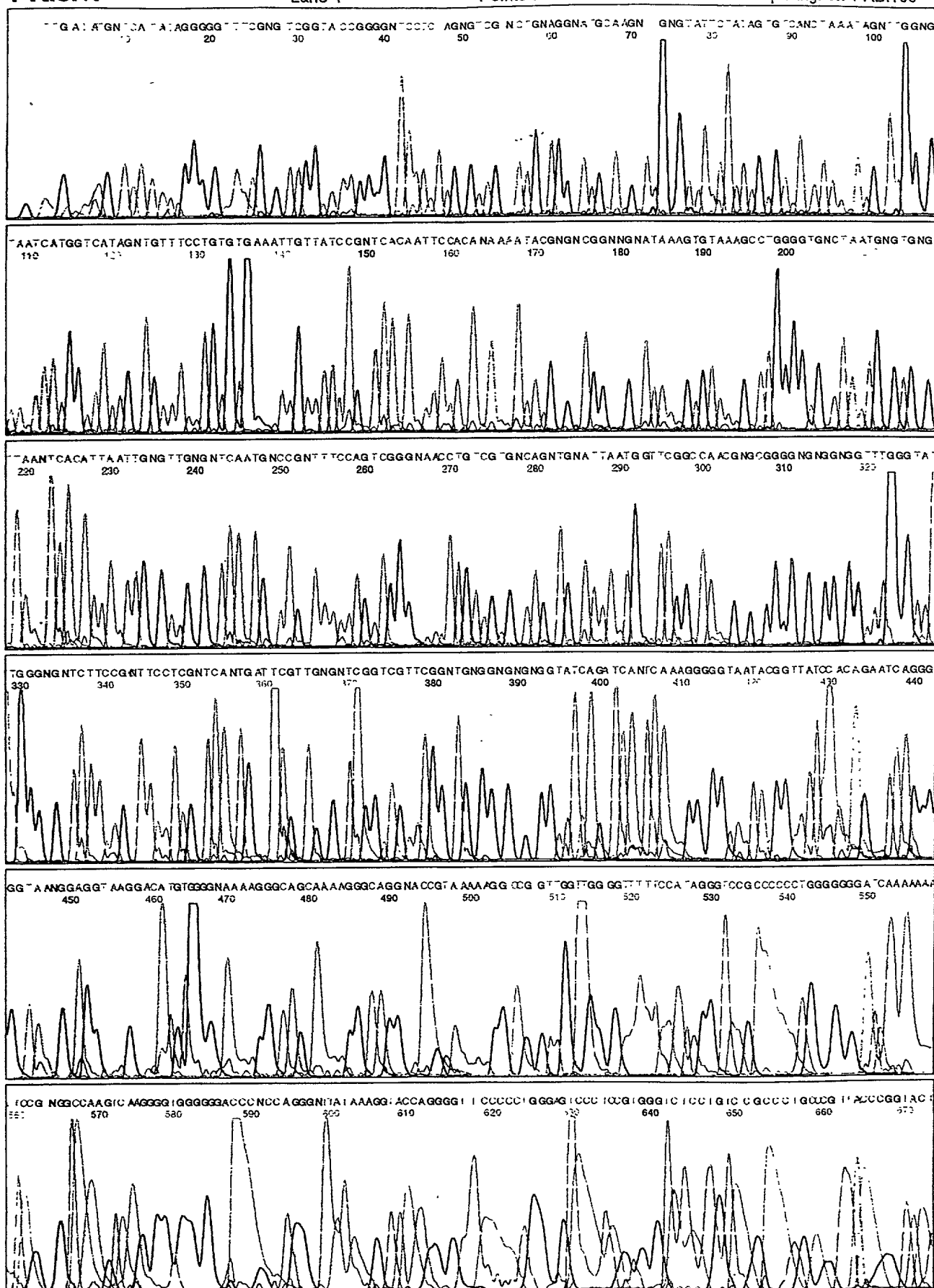


Figure 6

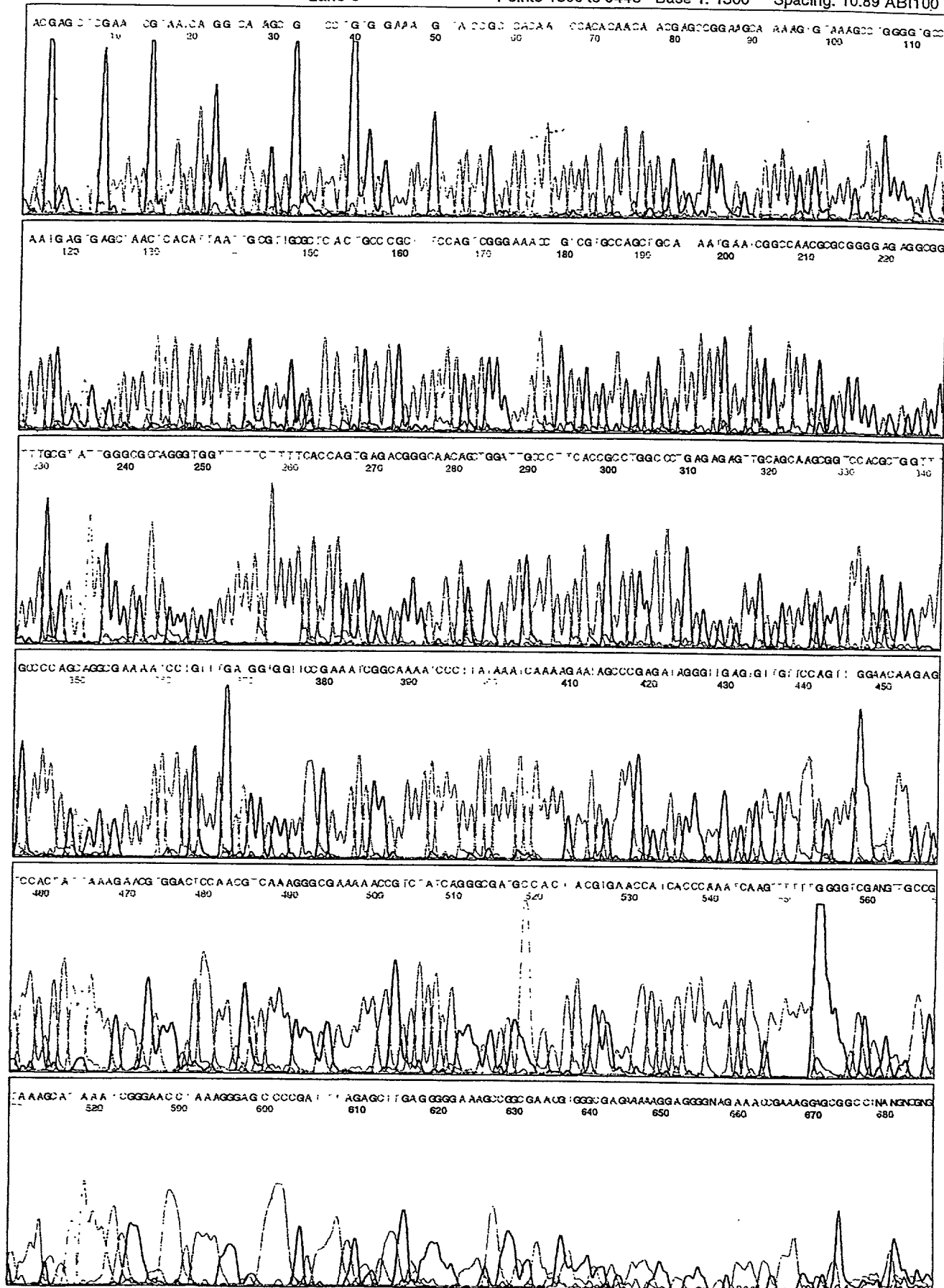


Figure 7

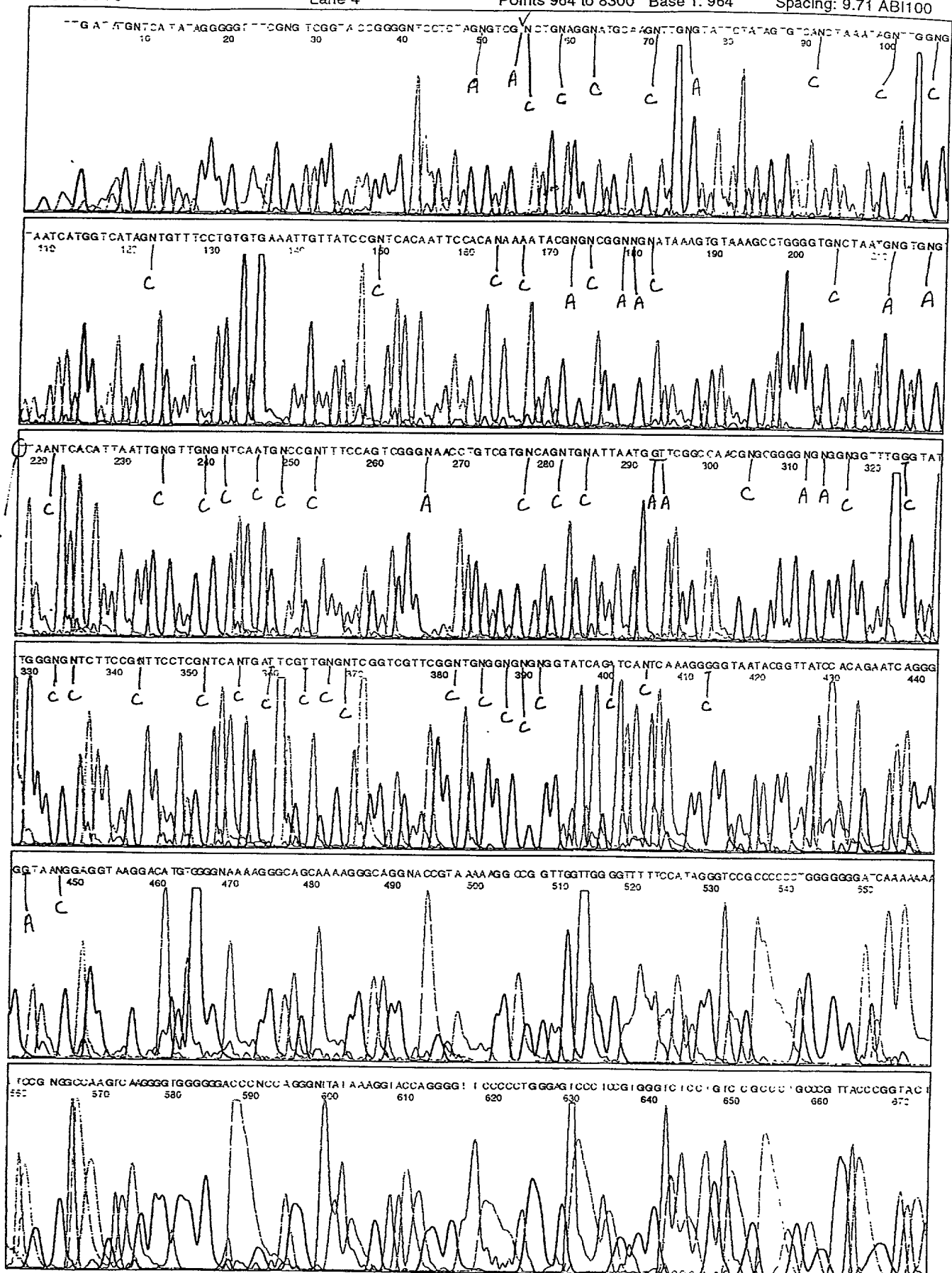


Figure 8

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the **INVENTION ENTITLED DNA POLYMERASE HAVING ABILITY TO REDUCE INNATE SELECTIVE DISCRIMINATION AGAINST FLUORESCENT DYE-LABELED DIDEOXYNUCLEOTIDES**

the specification of which (CHECK applicable BOX(ES) )  
☒ is attached hereto.  
☒ was filed on September 21, 1998 as U.S. Application No. /  
☐ was filed as PCT International Application No. PCT// on /  
and (if applicable to U.S. or PCT application) was amended on /

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)			Date first Laid- open or Published	Date Patented or Granted	Priority Claimed Yes No
Number	Country	Day/MONTH/Year Filed			

I hereby claim domestic priority benefit under 35 U.S.C. 119/120/365 of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)			Status	Priority Claimed
Application No. (series code/serial no.)	Day/MONTH/Year Filed		pending, abandoned, patented	Yes No
08/544,643	18 October 1995		patented	x
08/642,684	3 May 1996		pending	x

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Madison & Sutro LLP, Intellectual Property Group, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.

Paul N. Kokulis	16773	David W. Brinkman	20817	G. Paul Edgell	24238	Richard H. Zaitlen	27248
Raymond F. Lippitt	17519	Donald J. Bird	25323	Lynn E. Eccleston	35861	Roger R. Wise	31204
G. Lloyd Knight	17698	Peter W. Gowdey	25872	Timothy J. Klima	34852	Jay M. Finkelstein	21082
Carl G. Love	18781	Dale S. Lazar	28872	David A. Jakopin	32995	Anita M. Kirkpatrick	32617
Edgar H. Martin	20534	Paul E. White, Jr.	32011	Mark G. Paulson	30793	Michael R. Dzwonczyk	36787
William K. West, Jr.	22057	Glenn J. Perry	28458	Stephen C. Glazier	31361	W. Patrick Bengtsson	32456
Kevin E. Joyce	20508	Kendrew H. Colton	30368	Paul F. McQuade	31542		
George M. Sirilla	18221	Michelle N. Lester	32331	Ruth N. Morduch	31044		

(1) INVENTOR'S SIGNATURE: GuoFan

Date: 6 Oct. 1998

GuoFan		HONG	
First	Middle Initial	Family Name	
Residence	Shanghai	China	china
City	State/Foreign Country		Country of Citizenship
Post Office Address	Apartment 523, Lane 305, An Shun Road, Shanghai, The People's Republic of China		
(include Zip Code)	200051		

(2) INVENTOR'S SIGNATURE: Wei-hua Huang

Date: 6 Oct. 1998

Wei-hua		HUANG	
First	Middle Initial	Family Name	
Residence	Zhejiang	Province, PRC (PC 315010)	China
City	State/Foreign Country		Country of Citizenship
Post Office Address	704, No. 5, Lane 35, Yun-Shi, Ningbo, Zhejiang Province, PRC (PC 315010)		
(include Zip Code)			

(FOR ADDITIONAL INVENTORS, check box ☐ to attach PAT 116-2 same information for each re signature, name, date, citizenship, residence and address.)

Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b)  
**PATENT AND TRADEMARK CASES - RULES OF PRACTICE**  
**DUTY OF DISCLOSURE**

- (a) ...Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability... (b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

**PATENT LAWS 35 U.S.C.**

**§102. Conditions for patentability; novelty and loss of right to patent**

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months\* before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

**§103. Condition for patentability; non-obvious subject matter**

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person

---

\* Six months for Design Applications (35 U.S.C. 172).

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
POWER OF ATTORNEY

Docket No.

LEE-104

Name of Applicant: Wei-Hua Huang  
Address of Applicant: 704, No. 5, Lane 35  
Yun-Shi, Ningbo  
Zhejiang Province, The Peoples' Rep. of China PC315010

Title: DNA Polymerase Having Ability to Reduce Innate Selective Discrimination  
Against Fluorescent Dye-Labeled Dideoxynucleotides

Serial No., if Any: 09/157,397

Filed: September 21, 1998

TO THE ASSISTANT COMMISSIONER FOR PATENTS

The Assistant Commissioner for Patents  
Washington, D.C. 20231

Honorable Sir:  
I hereby appoint:

Marlane Titus, Reg. No. 35,843 and Caroline Nash, Reg. No. 36,329  
both of  
Nash & Titus

as principal attorneys to prosecute this application and to transact all business in the Patent and Trademark  
Office connected therewith.

Please direct all future correspondence to:

Nash & Titus, LLC  
Attn: Marlane Titus  
3415 Brooksville Road  
Suite 1000  
Brooksville, MD 20833

X By:

Wei-Hua Huang

X Dated:

12/27/99